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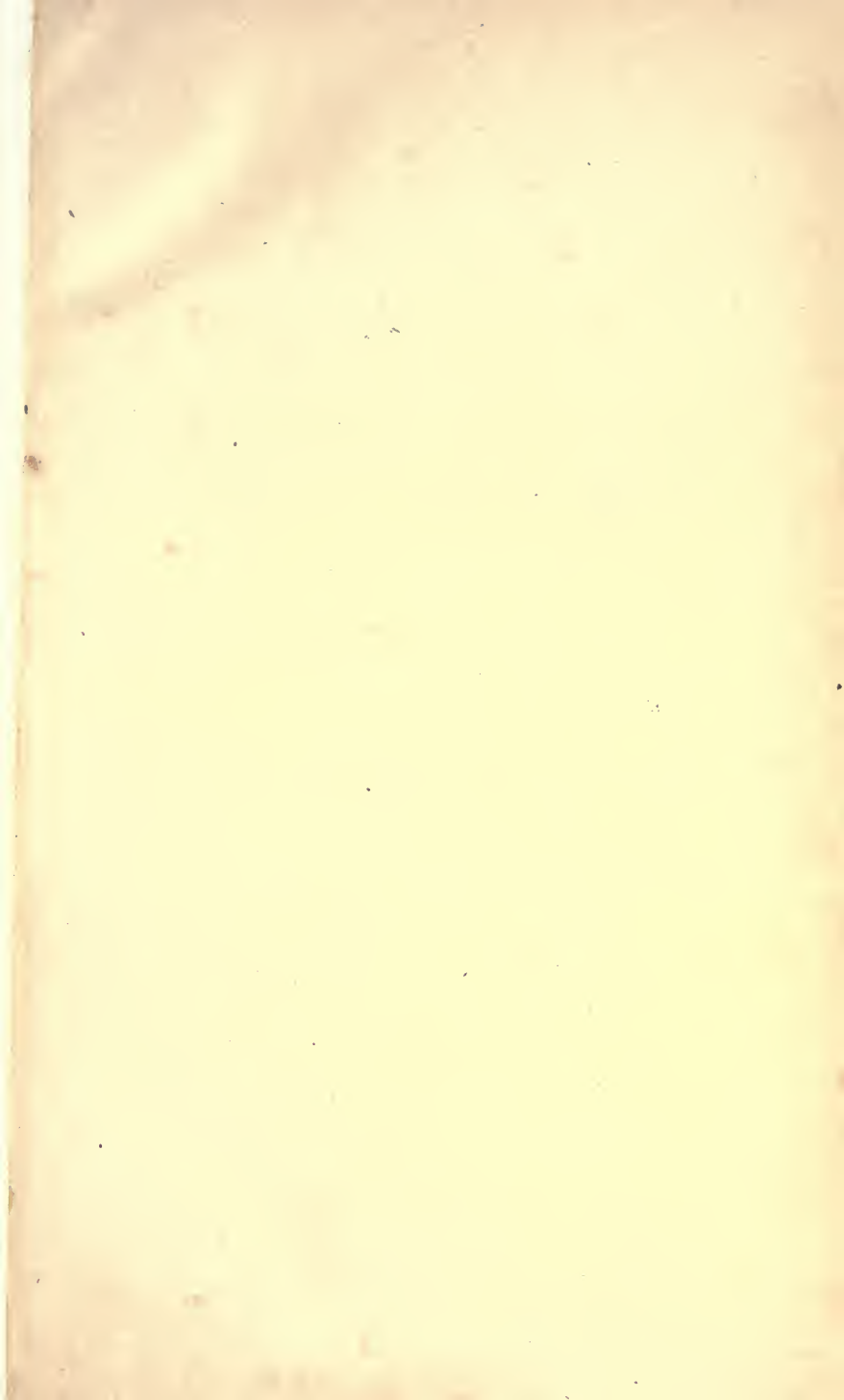
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Biography

OF THE

SIGNERS

TO THE

DECLARATION OF INDEPENDENCE



PHILADELPHIA

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BIOGRAPHY
OF THE SIGNERS TO THE
DECLARATION OF INDEPENDENCE.

VOL. IX.

EASTERN DISTRICT OF PENNSYLVANIA, to wit :

BE IT REMEMBERED, that on the eighth day of February, in the fifty-first year of the Independence of the United States of America, A. D. 1827, R. W. POMEROY, of the said District, hath deposited in this Office the title of a Book, the right whereof he claims as Proprietor, in the words following, to wit :

“Biography of the Signers to the Declaration of Independence.—Vol. IX.”

In conformity to the Act of the Congress of the United States, intituled, “An act for the encouragement of learning, by securing the copies of Maps, Charts and Books to the Authors and Proprietors of such copies, during the times therein mentioned;” and also to the Act entitled “An act supplementary to an act entitled “An act for the encouragement of learning, by securing the copies of Maps, Charts and Books to the Authors and Proprietors of such Copies, during the times therein mentioned,” and extending the benefits thereof to the Arts of Designing, Engraving, and Etching Historical and other Prints.”

D. CALDWELL,
Clerk of the Eastern District of Pennsylvania.

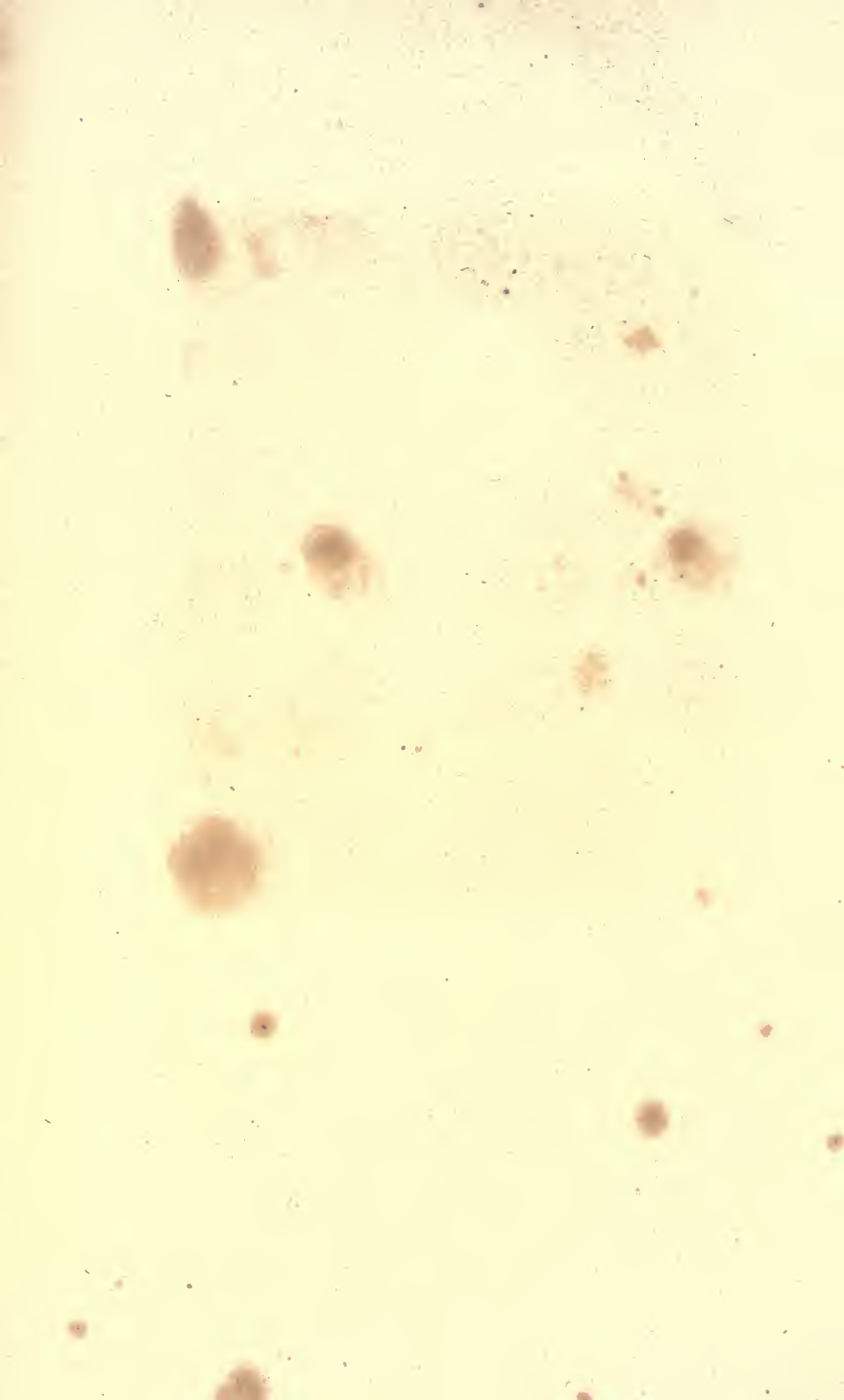
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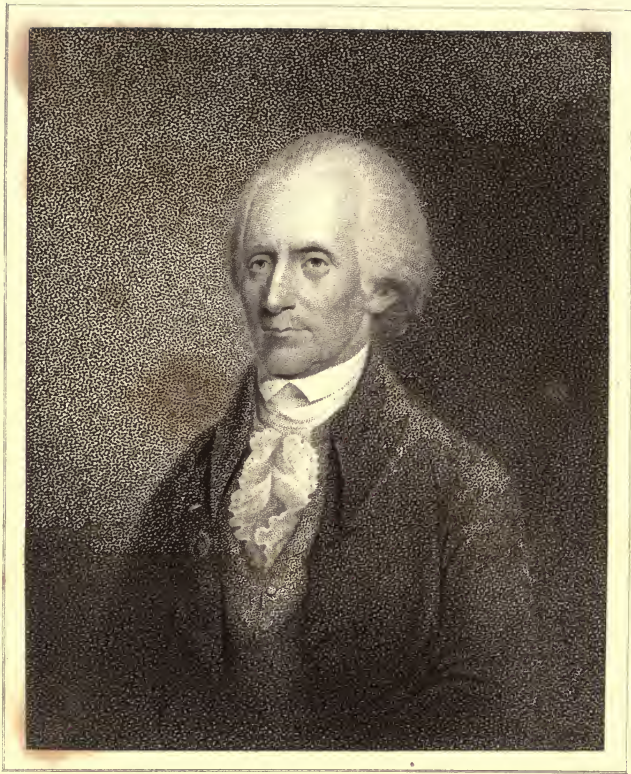
RICHARD HENRY LEE.

VOL. IX.—B





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RICHARD HENRY LEE.

Engr. by P. Maverick & J. B. Longacre, from a drawing by Longacre from an original miniature.

RICHARD HENRY LEE.



To censure a just pride of ancestry would be to lessen the incentives of virtue ; and since he who was the idol of a people's worship has declared, even when holding up to scorn the folly of aristocracy, "that the glory of our forefathers is a light to their posterity," it may be permitted to observe, that Richard Henry Lee traces his descent from one of the most ancient and distinguished families in Virginia.

The firmness and policy of his great grandfather, obtained nominally for Virginia, what his own energetic eloquence and active patriotism afterwards contributed effectually to secure to her, the title of an independent dominion. When the arbitrary taxation of the first king Charles of England had lost to him his kingdom and his life, as Virginia had not suffered with the parent state, so she shared not in its joy on this event, and only by treaty as an independent dominion, would she consent to avail herself of the protectorship of Cromwell. Mr. Lee and Sir William Berkley conducted, on the part of the colony, the negotiation which followed her resistance to the armed

forces of the republic of England. Before the voice of the people or the strength of a faction had collected the scattered fragments of the throne, the colony, moved by Lee and Berkley, proclaimed the second Charles, king of England, France, Scotland, Ireland, and Virginia, while yet he wandered an exile in a foreign land; and the quartering of her arms on the ancient escutcheon of his kingdom testified the gratitude or the vanity of the dissolute Stuart.

The memory of his father's services or his own capacity and influence, obtained for Richard, second son of Mr. Lee, an honourable and important situation, a seat in the king's council in the colony, which he was able to transmit to his son Thomas, the father of him whose life it is proposed to sketch.

Historians record a few intimations of facts, long antecedent to their existence, which philosophy has been perplexed to explain; some refer them to strange but casual coincidence, some to remarkable foresight, while others almost dare to call them prophecies. To these may be added, as an instance of peculiar sagacity or prophetic anticipation, the conviction in the mind of Mr. Thomas Lee, then president of the king's council, that America would yet take her place among the nations of the earth, and that the capital of the independent sovereignties would be established near the little falls of the Potowmac. That this was not a conjecture at random or mere transient impression, may be inferred from the fact that he took up and settled large tracts of land in that neighbour-

hood, at the distance of only three miles from the place actually chosen, half a century afterwards, for the seat of the general government. It was far from his hereditary estates, for these lay in that county which has had the honour of furnishing three presidents to the United States; and may with pride and exultation number among her sons a Washington, a Lee, a Jefferson, and a Monroe.

To RICHARD HENRY LEE, who was born on the twentieth of January, 1732, in Westmoreland County, Virginia, seems to have descended an hereditary care of his native state, for his maternal grandfather and uncle, held with credit to themselves and advantage to their country, seats in the king's council, of which his father was president, and his great grandfather in that line was governor Ludwell, of North Carolina.

Fashion prompted or necessity urged, in the infancy of the colony, such as could afford the expense, to send their children to England to be educated. Wakefield, in Yorkshire, then a flourishing school, was selected for Mr. Lee; where the refinements of the town were mingled with the economical habits of the country. The classic pursuits and chaste style of Mr. Lee in after life, may give a favourable opinion of his docility and talent, while they contribute to support the well earned fame of his tutor, as a scholar and a teacher. The histories of the ancient republics inspired him with a love of liberty, taught him the fate of tyrants and elated him with hope, not however unmingled with apprehension, for he saw

them at times tossed by the storms of faction, and again awed to the stillness of despotism. The love of rational liberty, thus excited, was strengthened by the beautiful portraits of her in the ancient authors, while defects in their systems were discovered by the strength of his own reflections, aided by the liberal views of the philosophic Locke. To studies calculated to form the character of a firm patriot, an enlightened statesman and an elegant scholar was his attention devoted, free from the restrictions which professional duties impose.

Ethics, in its most extensive meaning, and the philosophy of history were his favourite pursuits; the manuscript systems of which, compiled from his reading, or deduced from his own thoughts, are yet in existence to prove the force of his intellect, the closeness of his application, and the depth of his research, by the judicious views and lucid arrangement which these extensive notes of study exhibit. In the retirement of his brother's family, where he had access to a well chosen library, these were composed with persevering industry, between the time of his return from school in his nineteenth year, and that period when the cries of the frontier settlers, under the tomahawk and scalping knife of the Indians, pierced the hearts of the Virginians in the low countries, and the volunteers of Westmoreland invited him to lead them to protect the living and avenge the dead; this was in his twenty-third year.

Henceforth the sketch of Mr. Lee's life ought to be the annals of his country; his actions are recorded in the archives of the nation; yet allusion must too frequently supply, the full detail which the nature of this work excludes, and the development of causes be sought for in histories more diffuse.

France, in the war which preceded the peace of Aix, teaching the dire lesson, which England in our contest for Independence, with rancorous aptitude practised, had roused the savage Indian against the frontier colonists, and exterminating warfare was carried on, long after the ratification of peace by the courts of Versailles and Saint James. The terms of this peace were, to return to the situation which the parties held before the war; but this had never been accurately defined. The merit of having formed the Ohio company is claimed for the father of Richard Henry Lee; it was composed of the most influential men in the colony and rich merchants in London, for the two-fold purpose of commerce and extension of territory. The French, desirous of connecting their northern and southern colonies, claimed and seized territory which they considered the property of this company. Already had Virginia attempted to expel from her boundaries the invading foe, and to protect her sons from savage warfare, under the command of the father of his country, then a Major in her service; but routed at the *Little Meadows*, the retreating army was followed by the wives and orphans of the white settlers, and Virginia was trembling to her

centre, when General Braddock, with reinforcements from England arrived, and summoned the governors of the colonies to meet him at Alexandria, in Virginia, to devise means for the public safety.

Thither Mr. Lee led the troops of his native country, and tendered his own services with those of the gallant band who had volunteered in the cause of their country, but the blind courage of Braddock could not see that their assistance was necessary, or his insolent contempt of *provincials* induced the belief that it would be useless; his death in the first battle was the forfeit of his presumption or his ignorance, while Mr. Lee returned to his home and to those civil duties which have given him a place in history and his name to the remotest posterity.

As death approaches, the solicitude of a parent for his children's welfare frequently absorbs that which a rational creature might be supposed to feel for himself, when touching the confines of a new and untried existence; it is often so intense, that the excitement which it gives to the powers of the intellect has been thought the result of an approximation to the omniscient mind, in more intimate communion. To many in such moments, the integrity, the knowledge and the influence of Mr. Lee, so strongly recommended him, that even at this early age he was selected by them for the guardian of the fatherless and protector of the helpless. For such employments, and for the cultivation of his mind, his independent fortune afforded him sufficient leisure, till in 1757, the voice of

the people attracted the attention of the government, and he was appointed justice of the peace for the county; but his election to the house of burgesses, which happened in the same year, was derived from a more legitimate source of power. The petition of the other magistrates to the governor, praying, that the commission of Richard Henry Lee might be so dated, as to permit his election to the office of president of the court, before the time which his appointment legally allowed, proves if not his fitness for office, their conviction, that he had discharged his duty in an efficient and satisfactory manner. Not to mention, that the county courts of Virginia were then without limit to their jurisdiction, both in law and equity, might induce some to undervalue this appointment, but to develop their powers would be to digress from the subject of this memoir.

Want of confidence, induced by philosophic research and solitary study, or dissatisfaction, from the manner in which business was done in the house of burgesses, retarded Mr. Lee's advancement as an orator or leader of a party, but not his progress in knowledge or his attention to the interests of his constituents. With the resources and revenues of the colony, and the state of the treasury, he became thoroughly acquainted in the first session after his election, and the result of his investigation proved to him, that in the council his services would be more productive of advantage to his country. At present, he who would obtain an office ought to show him-

self a good citizen, and able to discharge the duties of it, and condescend to no other solicitation; at that time patrons bestowed it, and it was requisite even for Richard Henry Lee to engage the interest of his friends in London in his behalf; but the only motive which he urges for this purpose is, "his laudable ambition to do his country service." The motive was weak, or the influence of his friends ineffectual, and he was left in the house of burgesses till conflict with his colleagues removed his natural diffidence, till the strength of his mind was excited by the important duties of his station, and he acquired for himself the well merited title of the Cicero of America.

The first debate in which he took an active part, was on the limitation of slavery; a subject which has since threatened to shake the union to its centre. The evil of slavery was entailed on us by our forefathers; it is the only stream of bitterness, from the fountain of kingly power, which has not been made sweet, by throwing into it the tree which the Lord God has shown to us, the tree of liberty. The classic purity, conciseness and strength of argument which this speech exhibits, may justify, perhaps, its introduction here, as the first and one of the few, which survive him who is said to have spoken a nation into existence.

The question before the house was, "to lay so heavy a duty on the importation of slaves as effectually to stop that disgraceful traffic;" and Mr. Lee

thus addressed the speaker in favour of the imposition.

“As the consequences, sir, of the determination which we must make in the subject of this day’s debate, will greatly affect posterity as well as ourselves, it surely merits our most serious attention. If this be bestowed, it will appear both from reason and experience, that the importation of slaves into this colony, has been and will be attended with effects dangerous to our political and moral interest. When it is observed that some of our neighbouring colonies, though much later than ourselves in point of settlement, are now far before us in improvement, to what, sir, can we attribute this strange but unhappy truth? The reason seems to be this, that with their whites, they import arts and agriculture, while we with our blacks, exclude both. Nature has not particularly favoured them with superior fertility of soil, nor do they enjoy more of the sun’s cheering influence, yet greatly have they outstript us.

“Were not this sufficient, sir, let us reflect on our dangerous vicinity to a powerful neighbour; and that slaves, from the nature of their situation, can never feel an interest in our cause, because they see us enjoying every privilege and luxury, and find security established, not for them but for others; and because they observe their masters in possession of liberty which is denied to them, they and their posterity being subject for ever to the most abject and mortifying slavery. Such people must be natural enemies, and

consequently their increase dangerous to the society in which they live.

“This reasoning we find verified in the Grecian and Roman histories, where some of the greatest convulsions recorded, were occasioned by the insurrections of their slaves; insomuch, says a Roman historian, that Sicily was more cruelly laid waste by the war with the slaves, than by that with the Carthaginians. This slavish policy still continuing at Rome, at length increased the number of slaves so much, that the Romans were obliged to make for their government laws so severe, that the bare recital of them is shocking to human nature.

“Nor, sir, are these the only reasons to be urged against the importation. In my opinion, not the cruelties practised in the conquest of Spanish America, not the savage barbarities of a Saracen, can be more big with atrocity than our cruel trade to Africa. There we encourage those poor ignorant people to wage eternal war against each other; not nation against nation, but father against son, children against parents, and brothers against brothers; whereby parental and filial affection is terribly violated; that by war, stealth or surprize, we Christians may be furnished with our fellow creatures, who are no longer to be considered as created in the image of God, as well as ourselves, and equally entitled to liberty and freedom, by the great law of nature, but they are to be deprived, for ever deprived, of all the comforts of life, and to be made the most miserable of all the human

race. I have seen it observed by a great writer, that Christianity, by introducing into Europe the truest principles of humanity, universal benevolence, and brotherly love, had happily abolished civil slavery. Let us, who profess the same religion, practise its precepts, and by agreeing to this duty, convince the world that we know and practise our true interests, and that we pay a proper regard to the dictates of justice and humanity.”

What effect this measure might have had on the prosperity of Virginia, it is impossible to conjecture; it is probable, however, that the pleasure of having done his duty, was the only result of the speech to the orator who delivered it.

The love of power is so exclusive in its nature that it perverts the judgment, and would limit the competency to share in government to those with whom timidity makes it participate. Presenting in a mass the evils which reason has traced or declamation imputed to republican principles, it brands as visionary or condemns as false, the maxim “that the people are the legitimate source of power.” In the house of burgesses of Virginia, there was a party which seemed to be actuated by this exclusive principle, and willing to believe that the capacity of a people to manage their own concerns was contradicted by history. These were they, who covering their ignorance with the veil of pride, and their vices with the trappings of wealth, affected to look down with contempt upon what they were pleased to call, the lower orders of

the community. They voted with the administration on every subject, and imitated in all that was worthless, hereditary nobility. Lavish, dissolute, and haughty; their income did not always meet their expenses, and their pride was not so unbending, as to resist the pressure of their other vices; hence they came under pecuniary obligations to Mr. Robinson, the then treasurer of the colony, and leader of the aristocratic party in the house of burgesses.

When his private funds failed, facility of temper, weakness of judgment, or depravity of intention, prompted him to lend to his friends, the redeemed treasury bills, which honesty of purpose in the duties of his office, required him to destroy, least at any time, the colony by them might sustain some loss.

The odium of malignant motive, too frequently rests on a prosecutor, who fails to prove the delinquency of one high in official station and in the estimation of the public. There was a great risk, therefore, in the attempt to bring to light the secret and corrupt practises of the treasurer. An inquiry into his conduct was likely to be vigorously resisted by the faction, whose consciences could anticipate the result, and it was entered on with reluctance by all to whom his suavity of manners, his frankness and liberality, had much endeared him. With a conviction of the necessity, men shrunk nevertheless from the responsibility, of calling for and conducting an investigation into the state of the treasury. But Richard Henry Lee, regardless of all selfish considera-

tions, fearlessly undertook the task, nor desisted, till he had finished the work which imperious public duty required at his hands. With candour in his countenance, and persuasion on his tongue, his eloquence brought conviction to all, even to those whose sophistry attempted to obscure the truth, while, by threatening looks, they impotently endeavoured to check its development. To the colony, the result of the inquiry was security from heavy losses and pecuniary embarrassment, while Mr. Lee gained for himself the gratitude of a people, a high place amid the republican party, and the approbation of his own conscience.

To mark the course of events, which rendered it necessary to sever the bonds that had connected us with England, would be to presume ignorance in the reader of what has been told in other parts of this work. A far more grateful task is ours—to show the successful opposition of Mr. Lee to the arbitrary measures of the British ministry, and his able support of all that was, by the laws of nature and of nature's God, the right of an American.

The termination of the war with France was glorious to the arms of England, but her treasury was exhausted, her resources anticipated, and her people restless under their burdens. To remedy these evils, and at the same time maintain a large standing army, the mind of Charles Townshend conceived the design of taxing the colonies; and in a brilliant speech on the subject, he dazzled the eyes of the British par-

liament, by playing before them the image of a revenue to be raised in this country. Then was the theory laid down in Mr. Grenville's act, that it was just and necessary to raise a revenue in America, and the attempt to carry this system into practice by the stamp duty bill, sounded an alarm that awoke all the colonies. But to Mr. Lee the consequences were evident, from the first glimmering of that new light system of taxation, which was to be independent of the consent of those from whom the taxes were to be levied. Then every feeling of his mind merged in the love of his country, and this he exhibited in his domestic arrangements, in his private conversation, in his familiar correspondence and in his public conduct. Arguments from reason, justice, and the spirit of the British constitution, were sufficient to overturn the assumption in the declaratory act, and these Mr. Lee furnished to his friends in London and in the colonies, one month after the passage of that odious measure.

Would any rational being risk his life, and renounce his liberty, to obtain the unenviable state of an oppressed slave? Yet such would be the purchase and such the price paid by the first settlers in America, if the principle of Mr. Grenville's act has a foundation in reason. Was it just to repay those who, by many sacrifices and great dangers, had enlarged the territory and increased the wealth of Britain, by rendering their property insecure, putting it all or in part into the hands of men, over whom they had no con-

trol and by depriving them of their most valuable birth-right? The right to be governed by laws made by their representatives, and the consequent illegality of taxation without consent, are essential principles of the British constitution; is it not then matter of wonder that such a declaratory act could be made by men professing to maintain such principles? The conclusion of Mr. Lee's letter, written on the thirty-first of May, 1764, contains a sentence which may serve to show his thorough acquaintance with the spirit of his fellow countrymen, and to fix the point to which all his patriotic exertions were to tend. "Possibly this step (speaking of the declaratory act): though intended to oppress and keep us low, in order to secure our dependance, may be subversive of this end. Poverty and oppression, among those whose minds are filled with ideas of British liberty, may introduce a virtuous industry, with a train of generous and manly sentiments, which, when in future they become supported by numbers, may produce a fatal resentment of parental care converted into tyrannical usurpation. I hope you will pardon so much on this subject; my mind has been warmed and I hardly know when to stop."

Even absolute princes seldom hazard the assertion of a bare abstract principle, offensive to their slaves; hence it would have been blindness not to perceive, that the declaratory act of the British parliament would only present an alternative of evils, humiliation or resistance. But the address to the king, the memorial

and the remonstrance to both houses of parliament, proclaimed to the British ministry the feelings of the colony of Virginia. The whole subject was brought before the house of burgesses by Richard Henry Lee, and he was on the committee to prepare these documents; for the two first his country is indebted to his pen, as the manuscripts in possession of his family prove.

Early in the session of 1765, Patrick Henry proposed his celebrated resolutions against the stamp act, before the arrival of Mr. Lee at the seat of government. He came however, in time to support them in the discussion; and it was by their united exertions that these resolutions were carried, in opposition to the timidity of some and the resistance of others, whom corruption or perverted judgment blinded to their country's welfare.

The boldness and enterprising spirit of these great men were equal, their application to business and indefatigable industry were not (as they too often are) the handmaids of ambition, or the result of their lust of power: with equal lustre, these twin brothers of liberty shone amid the darkness of danger, and the horrors of war, cheering and guiding their country through seas of difficulty and peril, to freedom and to glory. Men knew not which most to admire in the debate, the overwhelming might of the one, or the resistless persuasion of the other; nor would it be possible now to fix with precision the amount of the

debt of gratitude, which is due to them, not only from their native state but from the whole union.

In the arduous task which Mr. Lee proposed to himself, of breaking down that wall of proud and perfect separation, which in Virginia had hitherto divided the patricians from the people, and which seemed as lofty and as strong, as that which in the Roman republic prevented these classes from intermarrying, and the latter from aspiring to situations for which in all things, save birth, they might be qualified, means as diversified as the species of opposition were necessary. None more effectual offered, than to unite his fellow citizens in one association, bound together by their hatred of the chain which tyrannical power had cast around them. This he performed; and men of all parties in Westmoreland county united to oppose the stamp act, binding themselves to each other, to God, and their country, to resist that abject and detestable slavery, to reduce them into which attempts foreign and domestic were daily made. To shew what patriotism will dare, when opposed to arbitrary power, the third article of this, the first formed association in the colony, is recorded. "As the stamp act does absolutely direct the property of the people to be taken from them, without their consent expressed by their representatives, and as in many cases it deprives the British American subject of his right to be tried by jury, we do determine, at every hazard, and paying no regard to death, to exert every faculty to prevent the execu-

tion of the stamp act, in every instance, within the colony."

But their opposition was not confined to words, for, soon after the formation of this society, Mr. Lee having heard that one of his fellow citizens was sufficiently abandoned in principle to accept an office under such an act, so offensive to the people, so destructive of their rights, summoned the association, and leading them to the residence of the collector, compelled him to give up the stamped paper in his possession, to destroy his commission, and to swear that thenceforth he would not be instrumental in the distribution of stamps.

Such active and persevering resistance was thus excited against the arbitrary measure, that it was believed there was then but one person who would dare to show his attachment to the British government by the use of stamped paper. He was a man of wealth and influence. The temptation to violate the rules of the association of resistance was strong, as the power was ready to support and reward those who would dare to transgress, and one instance of unpunished violation would be of dangerous tendency. To prevent that, which if done, could not have been remedied, Mr. Lee (under the signature of a Virginia planter) addressed the good people of the colony, holding up to the guilty the terrors of a people's vengeance, and pointing out to the citizens in language, clear and simple as truth, the danger of permitting such an example. This address shows

the great power which the orator possessed of diversifying his style, and of adapting it to the subject and the occasion.

The violence, (although some may think it both indiscreet and intemperate) used to the opposers of the people's will, can be justified by the maxims of policy, but was not the love of glory the motive, or power the reward sought by the active men who were in those days first in the path of liberty? While we approve the measures of Mr. Lee, and acknowledge that he had a mind to conceive and patience to execute the most arduous designs, may it not be thought that the rottenness of blasted ambition, mingling with, may have tainted purer motives, since it is known, that he was an unsuccessful candidate for the situation of collector of stamp duties? Such a charge was brought by those, who sought to weaken the efficacy by impugning the motives of his opposition to tyranny, and he found it necessary to state in the Virginia Gazette, that an offer of the situation had been made to him by a friend, which he promised to accept, but a few days deliberation convinced him of the consequences of the measure to his country, and therefore he forwarded no duplicate of his letter, but pursued such a course before the appointment was made, as effectually prevented his nomination. Should any, from a pretended zeal for justice, or from a false estimate of the devotion to the cause of liberty, which supported and animated those who achieved the independence of our country, think

this defence inadequate and say, "who can be found guilty, if it be sufficient merely to deny?" to him, in the words of a Roman emperor, we reply, who can be innocent if it be sufficient to affirm? and it will be scarce necessary to add, that the affirmation rests on the faith of the bitterest enemies of his country.

The resistance of the colonies made it impossible to execute the stamp act; the failure of the revenue expected from it exposed, even to the English, its illegality, so that when the personal feelings of the king removed its supporters from his councils, the new administration lessened the difficulties of their station, without impairing their popularity by a repeal of the odious measure. Mr. Lee joined in the general joy of his countrymen, but was not satisfied, for the repeal was accompanied with a clause, declaring the power of parliament to bind the colonies.

The domestic politics of Virginia, at this season, were not without difficulty. The dangerous influence of the treasurer in the house of burgesses, did not rise altogether from the causes before stated, his situation of speaker contributed to them; the consequences of the union of these two offices in the same person were apparent to all, but to effect their separation, the combined energies of the patriotic party were necessary, directed by Mr. Lee and supported by Mr. Henry. The motion of Mr. Lee "that they be now separated and be henceforth filled by different persons," was advocated by Patrick Henry, and vigor-

ously opposed by the royal party; but it finally brought power to the patriots and security to the colony.

The shock in the political horizon raised by the assertion that the parliament was omnipotent to bind, although lost to the many, in the brightness of the prospect which the repeal illumined, escaped not the watchful eye of Mr. Lee; to him it foreboded to his country a coming storm.

The estimation of Lords Chatham and Cambden among the English nation, had aided the colonies in their late opposition, for they were friends to American liberty or opposers of the power of the ministry, and gratitude prompted or policy made it necessary to secure, for future emergencies, the support of advocates so powerful. Hence the proposal of Mr. Lee to request the latter to permit his portrait to be taken, "that it might remain to posterity a memorial of their veneration," was joyfully accepted by the inhabitants of Westmoreland; a subscription was made to defray the expense, and Mr. Lee appointed to procure it for them. But the gentlemen of Westmoreland were constrained to submit to the humiliating feeling of a mark of their respect, spurned as vile or neglected as worthless. At first Lord Cambden promised, and made several appointments with Mr. West, to sit for his portrait, afterwards he seemed to forget his promise and not to walk in the path which fair fame and honest independence would mark out to him.

Mr. Lee was early and correctly informed of the proceedings of the British parliament, and promptly

acted on his information. The disobedience of New-York to the law for the "quartering of the military," and the consequent suspension of its legislative assembly, hastened the crisis, and convinced all men of intelligence, that the union of the colonies offered the only chance of safety. To this outrage on the rights of freemen, temperate remonstrance was first opposed, and the address to the king was moved in the house of burgesses and written by Mr. Lee, stating the grievances under which the colonies laboured in consequence of the laws for imposing duties on tea, and for the quartering of the soldiery, and praying redress.

Massachusetts and Virginia, knowing the powerful influence of corresponding societies, contend each for the honour of having first established them, "to watch the conduct of the British parliament, to spread more widely correct information on topics connected with the interests of the colonies, and to form a closer union of the men of influence in each." But the impartial seem to agree, that the measure was brought forward at about the same period in the year 1773, in both legislatures, several years after a similar institution had been formed by the individual exertions of Richard Henry Lee. This last assertion rests on the faith of his letter to Mr. John Dickenson of Pennsylvania, and on the verbal testimony of Colonel Gadsden of South Carolina, who stated that in the year 1768, he had been invited by Mr. Lee to become a member of a corresponding society, "the object of which was, to obtain a mutual pledge from the members to write

for the public journals or papers of their respective colonies, and to converse with and inform the people on the subject of their rights and wrongs, and upon all seasonable occasions to impress upon their minds the necessity of a struggle with Great Britain for the ultimate establishment of Independence." His letter to Mr. Dickenson bears date July twenty-fifth, 1768, and contains the following sentence: "To prevent the success of this unjust system an union of counsel and action among all the colonies is undoubtedly necessary. The politician of Italy delivered the result of reason and experience, when he proposed the way to contest by division. How to effect this union in the wisest and firmest manner, perhaps time and much reflection only can show. But well to understand each other, and timely to be informed of what passes both here and in Great Britain, it would seem that not only select committees should be appointed by all the colonies, but that a private correspondence should be conducted between the lovers of liberty in every province."

The event alone and the glorious termination of the contest, could not shield from the charge of rashness or wild ambition, Mr. Lee's scheme of severing from the parent stem the flourishing scion, before a certainty that it had yet spread its roots sufficiently wide to imbibe its own nourishment; for it is known that the issue is often directed by a power beyond our control, be it fortune, or chance, or providence, which consults better for us than we for ourselves. But

the letters of his brother Dr. Arthur Lee, convinced him of the necessity there was for making a choice, and his countrymen will approve the conduct of him who chose the probability of achieving liberty at the risk of life, before the inevitable certainty of abject and degrading slavery.

A love of science divided the heart of Dr. Lee with the love of his country. The faculty of the University of Edinburgh bore testimony to his acquirements by awarding him the first prize in botany, and his contest at the bar, when he made the law his profession, against Dunning and Glynn, sheds a lustre even on these distinguished advocates. The friend and favoured correspondent of Sir William Jones cannot be supposed deficient in taste, or ignorant of literature; and the attachment of Lords Shelburne and Cardross, of Barré and Wilkes, was founded on esteem and respect. His appointment to its agency in London by the colony of Massachusetts, before the revolution, his mission to the courts of France, Spain, and Prussia, are honourable testimonies from his country to his patriotism and talent. His vigilance was only equalled by his devotion to the cause of freedom, and his intimacy with the leading men of all parties in London, where he then resided, afforded facilities for observation. To his brother in 1768, he writes "that a change of men in the British Cabinet can produce no change of measures on the American question. So circumstanced here, the cause of American liberty will be desperate indeed, if it find not a firm support

in the virtuous and determined resolution of the people of America. This is our last, our surest hope, this our trust and refuge." Another letter, written about the same time, concludes thus, "once more let me remind you that no confidence is to be reposed in the justice or mercy of Britain, and that American liberty must be entirely of American fabric."

On such assurances from one so competent to form a correct opinion, aided by his own deductions from the course of events, the fixed resolution of Mr. Lee to propose the independence of his country might have been characterized as virtuous and prudent, even although his measures of policy or operations of war had been frustrated, by the accidents of circumstance to which they must ever submit.

Early in the session of 1769, Mr. Lee called the attention of the house of burgesses of Virginia to the late acts of the British parliament; his resolutions in opposition to the assumed right to bind the colonies, were characterized by some, as the overflowings of a seditious and disloyal madness, and produced the dissolution of the house; but not until he had, as chairman of a committee on the judiciary and internal relations, brought in his report recommending the improvement of the navigation of the Potowmac as high as fort Cumberland, thus evincing not only devotion to the cause of his country, but a deep penetration into her best interests.

The dissolution of the house of burgesses concentrated the opposition to the English ministry; the

members having met in a private house recommended their fellow citizens to refrain from the luxuries, and even necessaries of life, if any of these were not the productions of their native land. Their advice operated as a law, non-importation societies spread over the colony, which religiously observed and rigorously enforced the necessary restrictions. How far the exertions of Mr. Lee may have contributed to this most effectual means of raising the voice of the merchants of Britain against the measures of the ministry, has not been ascertained. It is certain, however, that as an individual, he had long practised that which this meeting proposed, and being convinced of its efficacy, he wished to see it generally adopted. To show that in the variety of her productions, his country was independent of the world, and "to testify his respect and gratitude for those, who had shown particular kindness to Americans," he sent presents of wine, the produce of his own hills, to distinguished men in England. The letters which accompanied these, and the orders to his London merchant not to furnish to him any article on which a duty had been laid, are dated previous to the formation of any non-importation society.

Mr. Lee was not deceived by the calm intervals of hope, which some of our countrymen permitted themselves to enjoy, during the years 1770 and 1771. He persevered in the course which he had marked out for himself, and by widely extending his correspond-

ence, spread that information which the vigilance of his brother furnished.

Trial by jury, although in the hands of the deputies of kings it may be often an engine of oppression, is too unwieldy to be used for this purpose if other means can be applied. The English ministry knowing this, and the sentiments of the people of America, did not believe, that among them, this glorious bulwark of liberty could be turned against herself, hence they sought to substitute for it the forms of the civil law, by extending the jurisdiction of the courts of admiralty. The act for this purpose passed the British parliament in 1772, and immediately on the meeting of the house of burgesses, Mr. Lee, in opposition to this unconstitutional measure, proposed to address an humble petition to his majesty ; which, after reciting the grievances of his faithful subjects, should pray, " that he would be most graciously pleased to recommend the repeal of the acts passed for the purpose of raising a revenue in America, and for subjecting American property to the determination of admiralty courts, where the constitutional trial by jury is not permitted."

While many, during the following year, 1773, listened with melancholy attention, to the rumours spread abroad, in consequence of the burning at Providence of the Gaspie schooner, and the threatening aspect which the court of enquiry assumed, Mr. Lee only sought accurate information on the subject. For this purpose he commenced a correspondence with the

intrepid patriot Samuel Adams, which they afterwards continued, having been appointed by the legislatures of their respective states, members of committees on this subject. This correspondence exhibits so much dignified resentment, and firm determination, united with dispassionate observation and calm reasoning, as would obtain for it, even from the enemies of America, respect and consideration.

Lord North, the king's minister, suffered no passion to divert, no pursuit of pleasure to withdraw him from his deliberate design of destroying the liberties of this country. Plausible, deep and treacherous, he caused the duty acts, to be so far repealed, as would have imposed on the patriots of America a perplexing alternative, civil war for a trifling amount of taxes, or submission to a precedent of destructive tendency, had not the opposition of the inhabitants of Boston to the modified duty bill, taken the ministry by surprise, and caused them in their wrathful impatience to propose, and the parliament to enact, a new and unheard of punishment, very disproportionate to the offence.

The first intelligence of this violent measure of the parliament was received by Mr. Lee, from his brother Dr. Arthur Lee, then in London, while the house of burgesses was in session; the resolution of the house to spend the day on which this act was to take effect, as a day of fasting, humiliation and prayer, caused the governor again to dissolve it. In a letter written immediately after this event, Mr. Lee states that the un-

expected dissolution of the house, prevented him from offering certain resolutions which he had prepared for the following day. The tenor of the whole may be inferred from the two last, which are in these words, "Resolved, that the blocking up or attempting to block up, the harbour of Boston, until the people there shall submit to the payment of taxes imposed on them without the consent of their representatives, is a most violent and dangerous attempt to destroy the constitutional liberty of all British America.—Resolved, that ——— be appointed deputies from this house to meet at ——— such deputies from the other colonies as they shall appoint, there to consider and determine on ways the most effectual to stop the exports from North America, and for the adoption of such other methods, as will be most decisive, for securing the rights of America against the systematic plan formed for their destruction."

Mr. Lee, having been prevented from offering these resolutions, proposed that the members of the house should assemble, and as representatives of the people, recommend the meeting of a general congress. They met, but the majority possessing less ardour, or as they thought, less rashness than Mr. Lee, pursued a more dilatory course. An address to the people was drawn up by Mr. Lee, and approved by the meeting, embracing the substance of the first of the above resolutions, but the second was softened into a recommendation to the committee of correspondence, to obtain the sentiments of the other colonies, on the

expediency of a meeting of deputies, "to deliberate on those general measures which the united interests of America may from time to time require." The meeting then adjourned till the first day of August. An incursion of the Indians on the frontiers of Virginia, furnished a cause or afforded a pretext to the governor, for summoning a new house of burgesses. Policy might prostrate what power could not suppress, the voice of a people resolved on freedom. He therefore issued writs for a new house, returnable on the eleventh of August, thus offering to the representatives an opportunity of meeting in the usual manner, as a reward for ten days delay, and as a bribe to renounce the authority of the people. If such were his motive, bitter disappointment was the fruit of his crafty scheme; for he saw the most distinguished men in the colony meet, at the call of the people, on the first of August, 1774, to compose the first assembly of Virginia.

After having advocated in this assembly his favourite measure, with all the fervour of his nature and the power of his eloquence, Mr. Lee had the gratification to be deputed by it, with Washington and Henry, as delegates to a continental congress. This august body met at Philadelphia on the fifth of September, 1774. It is said that silence, awful and protracted, preceded "the breaking of the last seal" in this assembly, and that astonishment and applause filled the house when this was done by Patrick Henry. The thrill of exultation and glow of excitement

might have subsided into dejection or sunk into lassitude, had not Mr. Lee perceived, "the quiver on every lip, the gleam in every eye." With the quickness of intuition, he saw, that a small impulse could turn this mass of agitated feeling to evil or to good; he rose; the sweetness of his language and harmony of his voice soothed, but did not suppress the emotions of the meeting; while with the most persuasive eloquence he taught, that there was but one hope for his country, and that was in the vigour of her resistance.

In Wirt's life of Patrick Henry it is assumed, that Richard Henry Lee was unfitted for the details of business, and it seems to be inferred, that, when the topics of declamation were exhausted, he whose powers could only be applied to excite or assuage the passions of a multitude, must have lost much of the influence which he had at first acquired. His failure in composition is in the same place asserted; but this assertion would seem to be a corollary from a principle, which the author himself denies, that eloquence in speech and in writing are rarely united, or it may rest on the report of others, or be the fancy of his own powerful imagination, believed without thought, and rashly asserted as a fact.

The colouring of character in history ought not to be touched with partiality or disfigured by passion or resentment, but following the series of events in the short session of the first congress, to note those in which Mr. Lee took an active and important part,

may be necessary to correct the inadvertency of the author of the life of Patrick Henry.

Mr. Lee was a member of the leading committees of this session ; to prepare an address to the king of England, to the people of Britain, and to the colonies. The committee for the first were Messrs. Lee, Adams, Johnson, Rutledge and Henry, they reported a draught of a petition on the twenty-first of October, which was recommitted for the purpose of embodying proposed amendments, and Mr. Dickenson was added to the committee. The amended petition was brought in on the twenty-fourth, and finally adopted. Mr. Lee is supposed to have been the writer of the original, and it is thought improbable that Mr. Dickenson in the interval between the two reports of the committee, could have written and proposed to them a new address, especially considering his sense of propriety and the character and abilities of the gentlemen of that committee. Messrs. Lee, Livingston, and Jay, were the committee to prepare a memorial to the people of British America and an address to the people of Great Britain ; in the committee it was agreed that Mr. Lee should prepare a draught of the former, the first in order and importance, and that Mr. Jay should sketch the other, which was accordingly done. On the twenty-first of October, the committee reported a draught of the memorial ; it was debated by paragraphs, and with some amendments approved. It has always been believed, that the memorial was written by Mr. Lee,

nor have any reasons to doubt it come to our knowledge. Messrs. Cushing, Lee and Dickenson were appointed to prepare an address to the people of Quebec, and it has often been said and never contradicted, that this address was written by Mr. Dickenson.

The committees to state the rights and grievances of the several colonies and to devise the most effectual means of carrying into effect the resolution of non-intercourse with Britain, were not less important than the foregoing committees, and of these Mr. Lee was also a member. He knew, that in the convulsion of states, courage and vigorous enterprize give safety; in such periods inactivity is certain destruction, while bold temerity is often crowned with success; he believed that to linger in doubt in such a state of affairs, might be ruin to their cause, and in this belief, he proposed the following resolutions. "Resolved, that, as we find the reason, declared in the preamble to the act of parliament for raising a revenue in America, to be for supplying the civil government, the administration of justice, and for protecting, defending and securing the colonies, the Congress recommend it to those colonies, in which it is not already done, to provide constitutional, competent and honourable support for the purposes of government and administration of justice, and that as it is quite unreasonable, that the mother country should be at the expense of maintaining standing armies in North America for its defence, and that administration

may be convinced, that this is unnecessary and improper, as North America is able, willing and under providence determined to defend, protect and secure itself, the Congress do most earnestly recommend to the several colonies, that a militia be forthwith appointed and well disciplined, and that it be well provided with proper arms." This motion was not carried in the form here given, the manuscript from which it is taken is in the handwriting of Mr. Lee, with the following memorandum superscribed, "A motion made in Congress by Richard Henry Lee to apprize the public of danger, and of the necessity of putting the colonies in a state of defence; a majority had not spirit to adopt it."

Mr. Lee hailed with joy the spirit which pervaded the Suffolk resolutions, and cheered under their sufferings the inhabitants of Boston; with the feelings of a man for whom property, and home, and life, have no allurements, when destitute of that which gives a charm to them all, the possession of liberty, he moved, "that the Congress are of opinion that it is inconsistent with the honour and safety of a free people, to live within the control and exposed to the injuries of a military force, not under the government of the civil power." The moderation of Congress, however, enabled them to see the evils, which had arisen to other governments from too much legislation, hence they rejected Mr. Lee's resolution, believing that it was a subject on which the people of Boston ought to have an unprejudiced choice.

When the first Congress dissolved itself on the twenty-sixth of October, 1774, the impression which remained on the public mind, concerning Richard Henry Lee was, that in him elegance of manners was united with the strictest honour, and unshaken fidelity; that he was proof against temptation; firm, upright and void of ambition; that with great ardour of feeling, the boldness of his spirit was under the curb of reason and discretion.

Not to have returned Mr. Lee to the next assembly of Virginia, in 1775, would have argued in the people of Westmoreland, blindness to their own interest or ignorance of his character: their unanimous suffrage, however, was a grateful tribute to his merit and gave him a renewed opportunity of serving his country. The proposal of Patrick Henry, to arm the militia of the colony, met with opposition in this assembly, but the coldest nature must have been animated, the firmest prejudice moved, even the strongest reason shaken, had reason been in opposition, by the rapid communication of the passion for liberty, through the eloquence of a Henry and a Lee. "Give me liberty, or give me death," the concluding sentiment of the mover of the resolution, rung through the assembly, and the cords of every heart were vibrating in unison; the choice, however, was not made, till his friend and supporter assured them on the faith of holy writ, "that the race was not to the swift, nor the battle to the strong; and if, (said Mr. Lee,) the

language of genius may be added to inspiration, I
will say with our immortal bard,

Thrice is he armed, who hath his quarrel just,
And he but naked, though locked up in steel,
Whose conscience with injustice is oppressed.

They then became impatient of speech, their souls were on fire for action; the motion was carried, and Washington, Henry, and Lee, with others, appointed to prepare the plan called for by the resolution.

The second Congress met on the tenth of May, 1775; to it Mr. Lee was deputed by the convention of his native state, having first received their thanks "for his cheerful undertaking and faithful discharge of the trust reposed in him during the session of the last congress." About this time the fond hope of peace and reconciliation, which the timid had hitherto cherished, fled; and preparation for a vigorous resistance was seriously desired by all. Washington had been called to the command of the armies, by the unanimous voice of Congress; and his commission and instructions were furnished by Mr. Lee, as one of a committee appointed for that purpose. To prepare munitions of war; to encourage the manufacture of saltpetre and arms; to devise a plan for the more rapid communication of intelligence, were all works of vast importance, and the wisdom of Congress availed itself of the knowledge and intellect of Mr. Lee, by appointing him on each of the committees to carry these measures into effect.

Few memorials of the genius and taste of Mr. Lee, as an orator and a writer, have descended to posterity, but even these are sufficient, to excite regret for the loss of others, and to refute the calumnies, or correct the errors of some, who assert his failure in composition. The second address to the people of Britain, in the name of this Congress, is the production of his pen, and an emblem of his mind; its sentiments are sublime; its style chaste and elegant; its reproaches dignified, and its expostulations fervid. For eloquence and depth of feeling, it is not surpassed by any of the state papers of that period, and well merits the eulogy pronounced on the writings of Congress, by the first Lord Chatham. Speaking in the house of lords, that nobleman thus expressed himself: "when you consider their decency, firmness and wisdom, you cannot but respect their cause and wish to make it your own. For myself, I must declare and avow, that in all my reading, and it has been my favourite pursuit, that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under all the circumstances, no nation or body of men, can stand in preference to the general congress at Philadelphia."

A short recess in the month of August, enabled Mr. Lee to retire to his native state, but not to leisure and repose; for he was present in the assembly, summoned by the royal governor to consider, what were called, the conciliatory propositions of Lord North. These, however, when their sophistry was exposed, were

found to be treacherous as his own false heart, and as unreasonable as insidious. The opinion of Congress was the voice of the colonies, that "they seemed to be held up to the world to deceive it into a belief, that there was nothing in dispute but the mode of levying taxes."

On the thirteenth of September the Congress again met for business. To state the important part, which the subject of this memoir took in the events of this session, would be to record all its acts. To devise ways and means of furnishing the colonies with a naval armament, to consult with the commander in chief, on a plan of military operations, to raise ten millions of dollars for the service of the country, to examine into the execution of continental contracts, and to consider the propriety of establishing a department of war, are a few of the important duties assigned to him by the voice of this assembly.

Already had the clash of arms resounded, and the union of the colonies been cemented, by blood poured out in their common defence: the hosts of Britain had assembled on our shores, and with the timidity of conscious guilt, were invoking help from the Indian and the slave; and the towering navy of England, rode lordly along our coasts, discharging on our unprotected fields, the Hessian swarms. The justice of their cause, and the moderation of their counsels, amid such difficulties, attracted to Congress the sympathy and regard of foreign nations, while yet they knew not the object of the contest. But

the period had now arrived, when this was to be published to the world, and the convention of Virginia had instructed her delegates to urge the Congress solemnly to declare it.

Mr. Lee was chosen to move the resolution in Congress; he knew that the implacable hatred of tyrants would pursue him for revenge, and that the uncertain issue of war, might place him in their power; but foreign states could form no alliance with rebels, and England was not resting on her own mighty resources: necessity urged, and Mr. Lee had ever listened to the voice of his country; he depended, for his safety, on the extent of her territories, her capabilities of defence, and the alliances which the declaration of independence would procure, or he despised the consequences, and was deaf to the suggestions of fear. On the seventh of June, 1776, Mr. Lee moved, "that these united colonies are, and of right, ought to be, free and independent states; that they are absolved from all allegiance to the British crown; and, that all political connexion between them, and the state of Great Britain, is, and ought to be, totally dissolved."

This motion, which was followed by a protracted debate of several days, was introduced by one of the most luminous and eloquent speeches, ever delivered by its illustrious mover. "Why, then, sir, (says Mr. Lee, in conclusion,) why do we longer delay? Why still deliberate? Let this happy day give birth to an American republic. Let her arise, not to devas-

tate and to conquer, but to re-establish the reign of peace and of law. The eyes of Europe are fixed upon us; she demands of us a living example of freedom, that may exhibit a contrast, in the felicity of the citizen, to the ever increasing tyranny which desolates her polluted shores. She invites us to prepare an asylum, where the unhappy may find solace, and the persecuted repose. She entreats us to cultivate a propitious soil, where that generous plant which first sprung and grew in England, but is now withered by the poisonous blasts of Scottish tyranny, may revive and flourish, sheltering under its salubrious and interminable shade, all the unfortunate of the human race. If we are not this day wanting in our duty, the names of the American legislators of 1776 will be placed by posterity, at the side of Theseus, Lycurgus and Romulus, of the three Williams of Nassau, and of all those whose memory has been, and ever will be, dear to virtuous men and good citizens."

On the tenth of June, it was resolved, "that the consideration of the resolution respecting independence, be postponed till the first Monday in July next, and in the mean while, that no time be lost, in case the Congress agree thereto, that a committee be appointed to prepare a declaration to the effect of the said resolution."

On the same day, an express from Virginia informed Mr. Lee of the dangerous illness of some members of his family, which made his presence there absolutely necessary: leave was obtained by him to with-

draw from his duties in Congress, and it was left to others to perfect his measures, by issuing that declaration for which he had so ably prepared the public, by his writings, by his speeches, both in and out of Congress, and by all the energies of his powerful mind. According to the rules of parliamentary procedure, the original mover of an approved resolution is usually chairman of the committee, and appointed to draught any consequent report; in the absence of the mover, Mr. Jefferson was elected to that honour, and the document from his pen, is not more worthy of admiration, for the effects which it has produced, than for the purity, dignity, and eloquence of the composition. The original draught was transmitted on the eighth of July, to Mr. Lee, with the amended copy, as approved by Congress; whether improved by the critics, may be judged, from the following extract from the manuscript of Mr. Jefferson, now in the library of the American Philosophical Society. "He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people, who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel powers, is the warfare of the Christian king of Great Britain; determined to keep open a market, where men should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain

this execrable commerce: and that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in arms among us, and to purchase that liberty of which he has deprived them, by murdering the people upon whom he also obtruded them.”

In consequence of his great exertions to procure a declaration of Independence, and his able support of the freedom of his country, Mr. Lee was exposed to the more immediate and implacable hatred of the king of England and his ministers. It is asserted that, had the arms of England prevailed, the surrender of Washington and Lee would have been demanded as a preliminary to any treaty. The rudeness of individuals cannot be charged upon their nation, yet, that men, in the garb and rank of gentlemen, could not refrain from expressing, to the sons of Mr. Lee, then at school in St. Bees, “the hope that their father’s head might soon be seen on Tower hill,” may serve to show the light in which he was viewed by the royalists of that day. The desire of the enemy to cut off by any means so able a supporter of the rights of America, was only equalled by the solicitude of his fellow citizens to secure his safety and happiness.

During his absence from Congress, a British captain of marines, with a strong party of men from vessels of war then in the Potomac, broke into his house at midnight, and by threats and bribes endeavoured to prevail on his domestics to betray their master, for, it was understood that Mr. Lee was in the vic-

nity. Honourably deceitful, the servants assured the party, that he had already set out for Philadelphia, although he was then only a few miles from his farm. The solicitude of his friends for his safety was evinced by their constraining him to forego the melancholy pleasure of a visit to General Charles Lee, then a prisoner in New York. Mr. Lee's reply to the invitation of the general, is marked with the brevity of deep feeling and with the language of manly grief, which swells the bosom, when it cannot serve a friend in the time of necessity.

“My dear friend,

“My feelings are not to be described. - I would go to every extremity to serve my friend and the able friend of liberty and mankind. But here my power fails. I have not the smallest idea of personal danger, nor does this affect the present question.

“Farewell, my dear friend, may you be as happy as you deserve, then the cause of humanity will have nothing to fear for you.

RICHARD HENRY LEE.”

The absence of Mr. Lee from Congress continued till the beginning of August, 1776; but immediately on his return, he was appointed on the most important committees. He took a distinguished part in preparing a plan of treaties with foreign nations, and in reconciling the people to the almost dictatorial powers of Washington; he furnished instructions for our mi-

nisters to foreign states, and many of the letters addressed by Congress to these ministers, are the productions of his pen.

From his return to Congress till June, 1777, he continued to sustain the great weight of business which his talents and persevering industry drew upon him, and walked through the same luminous path of glory as in the former Congress. But in such dazzling brightness of fame, not to have cast some shade would have argued him more than man. The malice of the envious and the monarchists, or the meritorious vigilance of pure republicans, charged Richard Henry Lee with toryism, and disaffection to his country; his receiving rents in kind and not in colonial money, was the fact, on which they rested so odious an imputation. From whatever motive the accusation proceeded, it gained strength in its progress, and suspicion, which in such periods almost ceases to be a vice, caused it to be generally believed.

Regard for his reputation, as well as to his health, which continued anxiety for the welfare of his country had impaired, induced Mr. Lee to solicit leave of absence and to return to Virginia. He there demanded an inquiry by the assembly into the nature of the allegations against him. The senate attended, and their presence gave additional solemnity to the scene. The result was, that in pursuance of a resolution of the house, the venerable George Wythe, while the tear of deep feeling stood in his eye, addressed Mr. Lee in these words.

“It is with peculiar pleasure, sir, that I obey this command of the house, because it gives me an opportunity while I am performing an act of duty to them, to perform an act of justice to yourself. Serving with you in Congress, and attentively observing your conduct there, I thought that you manifested in the American cause a zeal truly patriotic; and as far as I could judge, exerted the abilities for which you are confessedly distinguished, to promote the good and prosperity of your own country in particular, and of the United States in general. That the tribute of praise deserved, may reward those who do well, and encourage others to follow your example, the house have come to this resolution: That the thanks of this house be given by the speaker to Richard Henry Lee, esq. for the faithful services he has rendered his country, in discharge of his duty as one of the delegates from this state in general Congress.”

The candour and justice of the house in this investigation was not undeserved, for the motives of Mr. Lee were pure although the assertions had some foundation in truth. When the non-intercourse regulations were generally adopted, and the want of markets lessened the demand for produce, Mr. Lee, probably at the request of his tenants, received his rents in kind; but during the war the quantity of produce was diminished and the demand increased, while the issues of paper money by the states and Congress, impaired its real value; so that the contract became then more beneficial to Mr. Lee than rents in money

would have been. Inattention in one or both of the contracting parties, or the arduous duties of Mr. Lee in Congress, prevented any new agreement till the assembly, by omitting his name in the list of delegates, furnished a motive and leisure to him, to cause inquiry into the affair and to justify his conduct.

Mr. Lee, on the resignation of Mr. Mason, was appointed to fill the vacancy in Congress, and continued with his usual devotion to his country, to discharge all the duties of his station. His health, however, daily declined, and finally forced him, during the sessions of 1778 and 1779, to withdraw at intervals from the overwhelming business which he could not longer sustain. It has been remarked by Dr. Shippen, in whose house he lodged, that "Mr. Lee's labours were not confined to those subjects referred to his consideration; and that there was a constant progression of members repairing to his chambers to consult about their reports."

No subject of more importance to the United States had yet come before Congress, than the instructions necessary to be given to ministers, who were to negotiate treaties with foreign powers. The firmness and enlightened views of Mr. Lee were peculiarly conspicuous in the debates on that subject. No sectional jealousy nor individual state interest could affect his mind: the prosperity of the east, the grandeur of the west, received alike his solicitude and care. The right to the fisheries, and navigation of the Mississippi, were by him thought necessary to

secure these objects, and the Journals of 1779, which record the votes on this discussion, frequently present him alone, of the Virginia delegation, supporting these rights, as the ultimatum of the United States, in any negotiation. It may not, however, have been from lightly esteeming an interest in which they could not participate, that the representatives of the southern states were ready to abandon the right to the fisheries, and that they refused to demand an entire and free navigation of the Mississippi. The opinions of Washington may have been the sentiments of the majority. He thus writes to Mr. Lee on the subject: "I have ever been of the opinion that the true policy of the Atlantic states would be, instead of contending prematurely for the free navigation of that river, (the Mississippi,) to open and improve the natural communications with the western country, through which the produce of it might be transported with convenience and ease to our markets. And sure I am, there is no other tie by which they, (the inhabitants of the west,) will long form a link in the chain of federal union." Mr. Lee's motives for identifying himself with the interest of the eastern states are also liable to misrepresentation, for at that time he seems to have been dissatisfied with the proceedings of his native state, and to have designed to make Massachusetts the country of his adoption. The following extract from his letter to John Adams, dated October, 1779, gives a statement of his views and the causes which produced his determination. "Independently of the ge-

neral principles of philanthropy, I feel myself interested in the establishment of a wise and free republican government in Massachusetts, where yet I hope to finish the remainder of my days. The hasty, unpersevering, aristocratic genius of the south, suits not my disposition, and is inconsistent with my views of what must constitute social happiness and security." It is difficult to say, under the influence of what feelings Mr. Lee may have written this letter, or whether the state of society before the important and beneficial changes introduced by republican principles, may have justified him in drawing such a picture of his fellow citizens. There seems, however, to have been at that time, some remains of the pomp and luxury, of the pride of family, and haughtiness of manner, which characterized the Virginians before the revolution. That they, whose vigour of manhood was devoted to their country, and whose mental and physical energies were called forth only for her welfare, whose health was impaired and whose fortunes were almost exhausted in so glorious a cause, should seek by retirement, to avoid the painful contrast which the proud humility of such men would form with their virtuous and dignified pride, is consistent with the best feelings of our nature, and may account for the conduct of both Mr. Lee and Mr. Henry.

Whatever may have been the feelings of Mr. Lee, they did not abate his ardour in defence of his country. The enemy had now turned their attention to the southern states, and were carrying on against the

coast of Virginia a predatory and harassing warfare; and Mr. Lee was appointed, as lieutenant of the county, to the command of the militia of Westmoreland. In the field he was as distinguished for firmness, energy, activity and judgment, as he had been in the councils of the nation, and although none of the counties on the Potomac were more exposed than Westmoreland, his judicious disposal of the troops under his command protected it from the distressing incursions to which the others were subjected. The testimony of Generals Weedon and Greene in favour of the military arrangements for defence made by Mr. Lee, are not more honourable to his fame than the complaints of the enemy, "that they could not set foot on Westmoreland without having the militia immediately upon them." Such was the language of Captain Grant, who at that time with a few British schooners and tenders kept possession of the Potomac, and ravaged the counties on both its banks. The nature of this command prevented any distinguished exploit, yet the frequent skirmishes with the enemy rendered it peculiarly dangerous. On one occasion, in an attempt to seize a tender of the enemy which had been driven ashore, Mr. Lee narrowly escaped; for, while he was rallying his scattered company, which the long guns from the boats of the enemy and the small arms of a detachment on shore had thrown into confusion, his attention was so occupied that his horse fell with him amid the broken and insecure ground on the beach, only a few yards from

the advance of the British troops. His presence of mind did not forsake him in so untoward an accident, and he was by great skill able to cover the retreat of his little party without considerable loss on his side.

During the years 1780, 1781, 1782, Mr. Lee would not accept a seat in Congress, from a belief that his services in the assembly of his native state would be more profitable to his country; particularly at that time when the establishing of her government, and some of her most important concerns were under consideration. Among these, three subjects were more particularly prominent, and most frequently agitated in the house, the making paper money a legal tender at its nominal value, the payment of British debts, and a capitation tax for the support of the clergy, or as the advocates of the measure called it, "a general assessment for the support of the Christian religion."

With respect to the payment of British debts, and the policy of making paper money a legal tender, Mr. Lee was constantly opposed to his friend Patrick Henry, and they both, among the new political characters who had risen high in public estimation, continued to keep their place far in the van. The vivid and interesting comparison of the merits of these great men, at the time of which we treat, is given by a correspondent of the author of the life of Patrick Henry. "I met with Patrick Henry in the assembly in May, 1783; I also then met with Richard Henry Lee. These two gentlemen were the great leaders of the house of delegates, and were almost constantly

opposed : there were many other great men who belonged to that body, but as orators they cannot be named with Henry or Lee. Mr. Lee was a polished gentleman. He had lost the use of one of his hands, but his manner was perfectly graceful. His language was always chaste, and although somewhat too monotonous, his speeches were always pleasing, yet he did not ravish your senses nor carry away your judgment by storm. His was the mediate class of eloquence, described by Rollin in his *belles lettres*. He was like a beautiful river, meandering through a flowery mead, but which never overflowed its banks. It was Henry who was the mountain torrent, that swept away every thing before it ; it was he alone who thundered and lightened, he alone attained that sublime species of eloquence, also mentioned by Rollin.”

To impede the payment of British debts Mr. Lee thought a violation of all principles of honesty and national honour, and declared, “that it would have been better to have remained the honest slaves of Britain, than become dishonest freemen.” He eloquently urged, that to encourage citizens to make light of the faith of contracts, was to undermine the principles of virtue, on which alone republics may rest secure. His views on the other subjects may be learned from the following quotations : “The vast sums of paper money,” he says in a letter to Mr. Jefferson, “that have been issued, (and this being now a tender for the discharge of rents) and the con-

sequent depreciation, has well nigh effected an entire transfer of my estate to my servants. I am very far from desiring that the law should place these contracts literally as they were, but substantially it seems just that they should be. Public justice demands that the true meaning and genuine spirit of contracts should be complied with."

His sentiments on "the general assessment law," are thus stated in a letter to Mr. Madison, and are coincident with those of Patrick Henry. "It is certainly comfortable to know, that the legislature of our country is engaged in beneficial pursuits; for I conceive that the general assessment, and a digest of the moral laws, are very important concerns; the one to secure our peace, and the other our morals. Refiners may weave reason into as fine a web as they please, but the experience of all times shows religion to be the guardian of morals; and he must be a very inattentive observer who cannot perceive, that in our country, avarice is accomplishing the destruction of religion, for want of a legal obligation to contribute something to its support. The declaration of rights, it seems to me, rather contends against forcing modes of faith and forms of worship, in religious matters, than against compelling contribution for the support of religion in general."

To state the opinions of Mr. Lee on these subjects, seemed to be the duty of his biographer; but to discuss the merits of the questions involved in them, belongs to the philosophic historian. The people most

interested then, were no doubt competent to distinguish between the fitness of a proposition and the authority of a name; between the strength and clearness of intellect, and absolute infallibility.

The sovereignty and independence of the United States were now acknowledged by England, and the provisional articles of peace embraced those measures which Mr. Lee had so strenuously supported. The sheathed sword required no longer an arm to wield it, but the deliberative council might still be aided by the voice of experience. Mr. Lee, therefore, willingly accepted the mark of confidence and attachment with which the people of Virginia again honoured him, and took his seat in Congress on the first of November, 1784. The highest office under the old confederation was then vacant, and on the thirtieth of the month a sufficient number of states having assembled, Mr. Lee was raised to the presidential chair. The delegates to Congress were unanimous in their choice; the congratulations of Washington and Samuel Adams were re-echoed by every state in the union, and were well merited by the vigour, zeal and patriotism which the president of Congress exhibited in that high office. Every department of public business shared his attention; his correspondence with ministers and his intercourse with diplomatists of foreign courts, were marked with dignity and republican plainness and sincerity. When his time of service expired, he retired to the bosom of his family, with the satisfaction of having faithfully discharged the trust reposed in

him, having received "the thanks of Congress for his able and faithful discharge of the duties of president, while acting in that station."

Mr. Lee was not a member of the convention which discussed and adopted the federal constitution; but he was strongly opposed to its adoption without amendment; its tendency, he thought, was to consolidation, and he believed that despotism would be the result of subjecting such an extent of country, interests so various, and people so numerous to one national government. He recommended, however, the most cool, collected, full and fair discussion of that all-important subject. "If it be found right (said Mr. Lee) adopt it, if wrong amend it, at all events; for to say that bad governments must be adopted for fear of anarchy, is really saying that we should kill ourselves for fear of dying. But since it is neither prudent nor easy to make frequent changes in government, and as bad governments have been generally found the most fixed, so it becomes of the last importance to frame the first establishment upon grounds the most unexceptionable, and such as the best theories, with experience, justify; not trusting as our new constitution does, and as many approve of doing, to time and future events, to correct errors that both reason and experience in similar cases, now prove to exist in the new system."

The good of his country was the sole motive, and reason the only means of opposition to the adoption of the federal constitution used by Mr. Lee. Fear,

the offspring of force and opinion, seemed to him the only means by which to restrain men; the latter cannot exist without competent knowledge of those who govern, and that knowledge cannot exist in so extensive a country as the United States, so as to support one general government. He was anxious that the confederated states, united for mutual safety and happiness, should contribute to the federal head only such part of their sovereignty as might be necessary for these purposes; but when a majority of the people willed that constitution to be the rule by which they would govern themselves, he thought it his duty to endeavour by every means to establish in the commencement of the government, such a system of precedents as would check the evil tendencies then supposed to exist in the constitution.

As the first senator from Virginia under the new constitution, he proposed several amendments, the adoption of which seemed to him to have lessened the apprehended danger. He continued to hold the honourable and important trust of senator of the United States with great satisfaction to his native state and advantage to his country, till enfeebled health induced him to withdraw from public life, and seek that repose which is so agreeable to declining years, and that enjoyment which a mind like his always receives within the circle of domestic retirement. On the twenty-second of October, 1792, the senate and house of delegates of Virginia unanimously agreed to a vote of thanks, in these words: "Resolved,

unanimously, that the speaker be desired to convey to Richard Henry Lee, esquire, the respects of the senate; that they sincerely sympathize with him in those infirmities which have deprived their country of his valuable services; and that they ardently wish he may, in his retirement, with uninterrupted happiness close the evening of a life, in which he hath so conspicuously shone forth as a statesman and a patriot; that while mindful of his many exertions to promote the public interests, they are particularly thankful for his conduct as a member of the legislature of the United States."

The preceding sketch may give some idea of the public services of Mr. Lee, but who can depict him in that sphere of which he was the centre? giving light and happiness to all around him, possessing all the enjoyment which springs from virtue, unblemished fame, blooming honours, ardent friendship, elegance of taste, and a highly cultivated mind. His hospitable mansion was open to all; the poor and the distressed frequented it for relief and consolation, the young for instruction, the old for happiness, while a numerous family of children, the offspring of two marriages, clustered around and clung to each other in fond affection, imbibing the wisdom of their father, while they were animated and delighted by the amiable serenity and captivating graces of his conversation. The necessities of his country occasioned frequent absences, but every return to his home was celebrated by the people as a festival; for,

he was their physician, their counsellor, and the arbiter of their differences; the medicines which he imported were carefully and judiciously dispensed, and the equity of his decisions were never controverted by a court of law. Enough has been said to show the extent of his acquirements and the refinement of his taste, the solidity of his judgment and the vividness of his imagination, but the personal appearance of such a man may be an object of curiosity to posterity. His person was tall and well proportioned; his face was on the Roman model; his nose Cæsarean; the port and carriage of his head leaning persuasively forward; and the whole contour noble and fine. The eye which shed intelligence over such features had softness and composure as its prevailing characteristic, till it glowed in debate or radiated in conversation. His voice was clear and melodious, and was modulated by the feeling which swayed his bosom. The progress of time was insensible to those who listened to his conversation, and he entwined himself around the mind of his hearers, fixing his memory on their hearts. In the vigour of his mind, amid the honours of the world and its enjoyments, he had declared his belief in Jesus Christ as the Saviour of men.

The following sketch may gratify the reader, although it can only serve to bring the defects of the present undertaking into stronger and more immediate contrast. The writer cannot, however, refrain from ornamenting his work with it, even while the

poet's warning is fully before him. "Mr. Lee had studied the classics in the true spirit of criticism. His taste had that delicate touch which seized with intuitive certainty every beauty of an author, and his genius that native affinity which combined them without an effort. Into every walk of literature and science he had carried his mind of exquisite selection, and brought it back to the business of life, crowned with every light of learning, and decked with every wreath that all the muses and all the graces could entwine. Nor did these light decorations constitute the whole value of its freight. He possessed a rich store of political knowledge, with an activity of observation and a certainty of judgment, which turned that knowledge to the very best account. He was not a lawyer by profession, but he understood thoroughly the constitution both of the mother country and of her colonies, and the elements also of the civil and municipal law. Thus, while his eloquence was free from those stiff and technical restraints, which the habit of forensic speaking are so apt to generate, he had all the legal learning which is necessary to a statesman. He reasoned well and declaimed freely and splendidly. The note of his voice was deep and melodious. It was the canorous voice of Cicero. He had lost the use of one of his hands, which he kept constantly covered with a black silk bandage, neatly fitted to the palm of his hand, but leaving his thumb free; yet, notwithstanding this disadvantage, his gesture was so graceful and highly finished, that

it was said he had acquired it by practising before a mirror. Such was his promptitude, that he required no preparation for debate. He was ready for any subject as soon as it was announced, and his speech was so copious, so rich, so mellifluous, set off with such bewitching cadence of voice, and such captivating grace of action, that while you listened to him you desired to hear nothing superior; and indeed, thought him perfect. He had quick sensibility and a fervid imagination.”

Mr. Lee breathed his last on the nineteenth of June, 1794, in the sixty-fourth year of his age, at Chantilly, Westmoreland county, Virginia, a few weeks before the celebration of the day on which his eloquent tongue and intrepid mind, had given birth to the independence of his country.

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GEORGE TAYLOR.



TAYLOR.



ALTHOUGH GEORGE TAYLOR, during his life time, took a prominent part in the political affairs of the times, and was a man much esteemed and honoured, he has left behind him scarce a trace, by which we can discover his sentiments or actions. Nothing can better convince us of the uncertainty attending the minute events recorded in civil history. Fifty years have not passed away, since a thousand facts might have been obtained from numerous and authentic sources; yet now we are reduced to the uncertain recollections of a few old men, or the slight and mutilated circumstances which industry may gather, from the fleeting records of past times.

Of the early life of Mr. Taylor, we have been able to discover almost nothing. He was born in the year 1716. He was an Irishman by birth, and is said to have been the son of a respectable clergyman of that country, who gave him a better education than was usually bestowed, in those days, on youths who were destined to make their own fortunes in the world, and who had no advancement to hope either

from patronage or wealth. He was quick, active and intelligent; and his father thinking his talents might be turned to some account, determined to educate him for the profession of medicine, of which science it is believed he actually commenced the study. His turn of mind, however, did not fit him for the labours which such pursuits require; he was soon disgusted with the slow progress that he made, and determined to seek his fortune, in a life of more variety and adventure. What led him particularly to select America, as the scene of his new efforts, we know not; but hearing of a vessel about to sail for Philadelphia or New York, he deserted his medical studies, and without sixpence in his pocket, embarked as a redemptioner on board of her.

On his arrival in America, he bound himself for a term of years as a labourer to one Savage, who paid the expenses he had incurred in his passage from Ireland. This person was the owner or occupier of some extensive iron-works, at Durham, a village on the river Delaware, eight or ten miles below Easton, and to that establishment Taylor accompanied him.

Immediately on his arrival, he was set to work, as a "filler," that is, a workman employed to throw coal into the furnace when in blast. He had not been accustomed to such rude work, and this was soon discovered from the blisters on his hands. The fact was mentioned by some of his associates to Savage, and he, taking compassion on the lad, whom he had found to be remarkably intelligent and educated

beyond his present situation, asked him if he could not handle a pen better than a shovel. Taylor agreed joyfully to the change, was installed as a clerk, and soon made himself in this situation, a most important member of the establishment. He retained it several years, and when at length Savage died, married his widow, and became the proprietor of the whole concern. Here, by prudent management and great industry he contrived to amass a very considerable fortune, but either allured by more promising prospects, or tired of his old abode, he afterwards purchased a considerable estate on the shores of the river Lehigh, in the county of Northampton, and built a large house upon it, where he fixed his residence.

Mr. Taylor had not been long an inhabitant of Northampton, before he was called into public life. In the provincial assembly which met at Philadelphia, on the fifteenth of October, 1764, we find him representing that county, and placed immediately on the committee of aggrievances, one of the most important and useful situations at that time, and still more so at a future period. He also took an active part in the discussion of the great question which then agitated the province, the alteration of the charter, and the reformation of the proprietary government, into which many serious abuses had crept.

In the month of June, 1765, the speaker of assembly had received the proposal of the House of Representatives of Massachusetts Bay, for a general congress of delegates at New York in the ensuing au-

tumn. At the meeting of the assembly in September, he laid the communication before them, and on the same day the measure was agreed to without a dissenting voice. The speaker Mr. Fox, Mr. Dickinson, Mr. Bryan and Mr. Morton, were elected as delegates, and a committee was appointed to prepare a draught of instructions for their government. On this committee, Mr. Taylor was appointed; the instructions were drawn up, and on the following day, presented to and approved by the house. They afford one of the many instances of that caution, with which all the provincial legislatures engaged in the controversy with the mother country; they were resolved honest and firmly to assert and maintain their rights, but at the same time they were determined to commit no hasty act, which should throw back the censure on themselves, and involve them in the charge of disaffection and rebellion, while they were claiming nothing more than had been guaranteed by their charters and enjoyed by their ancestors. "You are to consult together," say the instructions, "on the present circumstances of the colonies, and the difficulties they are and must be reduced to by the late acts of parliament, and to join in loyal and dutiful addresses to the king and the two houses of parliament; humbly representing the condition of the colonies, and imploring relief; but you are to take care that such addresses, in which you join, are drawn up in the most decent and respectful terms, so as to avoid

every expression that can give the least offence to his majesty, or to either house of parliament."

In the month of October, 1765, Mr. Taylor was again elected as the representative of Northampton county in the provincial assembly, and again became an active member in several useful committees, and a participator in all the leading measures which were introduced. In the month of June following, we find him one of the gentlemen appointed to draw up an address of thanks to the king, on the repeal of the stamp act; and it affords an instance of the satisfaction which was felt at that period by the colonies, in every indication of returning good feeling on the part of the mother country. "The paternal concern," say they, "for the welfare and prosperity of all your majesty's subjects, however remote, which your majesty has demonstrated on this very important occasion, cannot fail of fixing, in the hearts of the good people of this province, the most inviolable affection and loyalty to your royal person and government, and exciting their sincerest prayers for the long continuance of your majesty on the throne of those extensive dominions, whose happiness and glory have been the invariable objects of your care and attention.

"The assurance which your majesty has been pleased to give us of "your approbation of the dutiful behaviour of the province of Pennsylvania, amidst the too prevailing distractions which have agitated the other colonies;" fills our breasts with sentiments of most respectful gratitude, and demands our warm-

est thanks: this instance of your majesty's condescension and goodness, must engage the people we represent to continue to recommend themselves still further, by their dutiful behaviour, to your royal favour and protection.

— “We humbly entreat your majesty will further permit us to embrace this opportunity of expressing the high sense we entertain of the justice and tenderness of your parliament, who, ready to hear and consider the aggrivances of your majesty's subjects, have, upon a just representation of the unhappy circumstances of your colonies, manifested their good dispositions and lenity to us, in our late distressed situation.

“Fully sensible how much the happiness of your people depends on a perfect harmony and connection between Great Britain and her colonies, we assure your majesty, that no care or endeavours shall be wanting, on our part, to promote and establish that union of affections and interests, so essential to the welfare of both, and to preserve that loyalty and affection to your majesty's person and government, which we esteem to be one of their first and most important duties.”

To show still further their good will, and the joy which they experienced at this reconciliation, they added to the address a resolution, in which they expressed their readiness to meet in every constitutional way the wishes of the British government.—“Whenever his majesty's service,” they resolve, “shall for

the future require the aids of the inhabitants of this province, and they shall be called upon for that purpose, in a constitutional way, this house, and we doubt not all future assemblies, will think it their indispensable duty to grant such aids to his majesty, as the safety of the colonies requires, and the circumstances and abilities of this province may permit, unless the proprietaries' instructions to their deputy governors, respecting proprietary private interest, shall continue to interfere."

From this period until the year 1770, Mr. Taylor continued to take his seat in the assembly, and was always placed on the several standing committees of which he had been formerly a member, as well as named on many others of importance. We find him on those appointed to amend the judiciary establishment, regulate the assessment of taxes, investigate the rights of the house, to choose the printer of the public laws, raise loans on bills of credit, prepare a system for improving the navigation of the great rivers of the province, and several others.

In the early part of the year 1768, he exerted himself strenuously in bringing to justice the perpetrators of some horrid massacres of the savages on the frontier, which had nearly involved the province in an Indian war. Thinking that the governor had not acted with all the promptness which the matter demanded, he was appointed by the assembly, with several other members, to draw up an address urging his attention to it. In this manly address they call

upon him, with all the warmth of honourable feeling, to exert the powers of his office to bring the offenders to justice, to avenge the innocent and murdered Indians, and to save the province from the calamities which threatened it. "We are the last persons," they say, "who would advise you to extend your power in any case beyond the bounds prescribed by law. But while we wish to have your authority properly confined, we should be wanting in our duty to the people, if we were not equally desirous to see it exerted to its legal extent, whenever their security demands it; which we are persuaded has not been done on this important occasion. Murders have been long since committed, and the offenders are not yet apprehended, nor, as we have ever understood, has a single warrant been issued for the purpose: murders perpetrated at noon-day, in a populous borough, before a number of spectators, and yet, as it is said, the names of the criminals remain undiscovered. There is a manifest failure of justice somewhere. From whence can it arise?—Not from the laws—they are adequate to the offence. It must then be either from a debility, or inexcusable neglect in the executive part of government, to put those laws in execution. And we hope your honour will excuse us, when we say that it is the peculiar province of a ruler, and, "without violence to the constitution," he may and ought to superintend the administration of the laws, so far, at least, as to see that the magistracy faithfully dis-

charge their duty, and to remove those who are neglectful thereof.

“We trust, your honour,” they continue, “will not think us too importunate in this momentous affair, in which, we conceive, the future safety of the people, and the honour of the government, are most intimately concerned; for you will be pleased to consider of how much consequence to both it is, that the authors of crimes of so “black a dye” should be strictly punished. It is, in all probability, owing to the encouragement, arising from the impunity with which those criminals have been permitted to escape, that the subsequent murders in this province have been committed. Had exemplary punishment been inflicted on the offenders in the first instance, it is more than probable, that the transgressors in the second, would have been deterred from the perpetration of the like offences. But should men, who have bid defiance to the executive powers of government, and so audaciously trampled on its authority, be allowed to remain in the province longer unpunished; we are very apprehensive, that the persons of the inhabitants will not be safe from their violent attempts, the transition being easy from the murder of Indians, under the protection of government, to the murder of the subject, nor will the colony be secured from the calamities attending a war with the natives, occasioned by these repeated insults offered to the persons of their people.

“Besides, it is undoubtedly the soundest policy to

do justice to the Indians, without which the government can never, with any propriety, demand a satisfaction from them for the murders we have reason to believe they have lately committed, on several of our people. It therefore behoves the government to exert itself in a matter so interesting to the province; and having done that right to the Indians, which they expect from us, we request your honour would take the necessary steps to obtain the like justice from them, for the outrages they have committed, in violation of the treaties of friendship subsisting between us."

From this period until the year 1775, we do not find the name of Mr. Taylor in the journals of the assembly. He was actively occupied at his new establishment, in carrying on some iron works which he had there erected, and in so doing had associated himself with several other gentlemen, engaged in the same pursuit. Owing, however, to some disadvantages in his present situation, he did not meet with the success which had attended his former efforts, and after some time vainly spent in the attempt, and the loss of a considerable part of his fortune, he returned to Durham, the seat of his former prosperity. During this period, the only public offices which he held were those of a judge of the county courts, over which he presided, and of colonel of militia, from which he derived the title that he was usually addressed by.

In October, 1775, he was again elected a delegate to the provincial assembly, and took his seat therein on the fourteenth of that month. He resumed at once

his useful character as a legislator, and was placed on several important committees, such as those on the grants to the crown, the settlement of the Connecticut claims, procuring arms for the public service, preparing a system of military discipline for the province, and above all, the committee of safety, which was now in fact the great revolutionary organ of the government. On the fourth of November, 1775, the legislature proceeded to elect the delegates to the succeeding continental Congress; and shortly after they had chosen them, Mr. Taylor was appointed, with several other gentlemen, to prepare and report to the assembly a draught of instructions by which their conduct was to be governed. This was a duty of much delicacy and difficulty. It was not to be concealed that the affairs of the colonies had arrived at a crisis when the wise might anticipate, and the bold hope for, a decided resistance and an eventual separation. To this issue Pennsylvania seems to have looked with some reluctance. She had always been a colony peculiarly favoured by the crown, and had received from it many direct expressions of its good will; her proprietary government had been conducted without a shadow of political oppression, though its history is now and then disfigured with controversies about the personal rights of the descendants of the founder, and the mutual privileges granted and reserved by charter; her constitution was liberal, indeed democratic to a degree which existed in few others of the colonies; and a large portion of the po-

pulation were by habit, prejudice and religion, but little inclined to measures of uncompromising violence. It is true, the rash and arbitrary proceedings of the British government were fast wearing away all these bonds of fellowship, and Pennsylvania had a spirit too high not to stand firmly by the other colonies, to support them with her power, and to participate their dangers. In this state of affairs Mr. Taylor and the rest of the committee prepared the instructions for the delegates in the following form: "The trust reposed in you," they say, addressing the newly elected members, "is of such a nature, and the modes of executing it may be so diversified in the course of your deliberations, that it is scarcely possible to give you particular instructions respecting it. We therefore, in general, direct, that you, or any four of you, meet in Congress the delegates of the several colonies now assembled in this city, and any such delegates as may meet in Congress next year; that you consult together on the present critical and alarming state of public affairs; that you exert your utmost endeavours to agree upon, and recommend, such measures as you shall judge to afford the best prospect of obtaining redress of American grievances, and restoring that union and harmony between Great Britain and the colonies, so essential to the welfare and happiness of both countries.

"Though the oppressive measures of the British parliament and administration have compelled us to resist their violence by force of arms, yet we strictly

enjoin you, that you, in behalf of this colony, dissent from, and utterly reject, any propositions, should such be made, that may cause, or lead to, a separation from our mother country, or a change of the form of this government.”

The ensuing winter and the spring of 1776, however, wrought a great and rapid change in the sentiments of the people. They became every day more and more convinced of the necessity of separation; and began to prepare more and more earnestly for direct resistance. Four months had scarcely elapsed since the report which we have just mentioned, so guarded and pacific in its tenor, was presented by one committee, of which Mr. Taylor was a member, when another to which he also belonged, laid before the assembly a document which bears all the marks of a determined and indignant spirit. “The committee,” say they, “have, ever since their appointment applied themselves with the greatest zeal and fidelity, to the important trust confided to them, in providing means for the defence of this province; they were, however, such means only as were thought more immediately requisite for our security, against the attempts made by a naval armament, and were besides necessarily confined within the limits of the funds allotted to them by your honourable house;—but they beg leave to represent, that, as every day brings with it fresh proofs of the violence of the British ministry, and of their fixed purpose to subdue the free spirit of America, that has yet given such

obstruction to all their schemes of tyranny and despotism—a purpose assisted too by an obsequious parliament, which may not speak the genuine sense of the nation, though it has unhappily the direction of its force, it truly becomes us to prepare seriously for the storm gathering over the colonies, and which, in the uncertainty of its course, may, in a few weeks, fall upon this province. This being the idea of the committee, they have come to the following resolution, claiming the most earnest attention of your honourable house thereto.

“Resolved, ‘That application be made to the honourable the house of representatives, praying that they will take order for the raising of two thousand men, to act in the defence of this province, and this board will represent it, as their opinion, that it will be most for the public service, that one battalion of regular troops be formed out of that number, and the remainder be a body of rifle-men.’

“The committee beg leave to solicit your attention to another object, also of extensive importance, the military association: the general sentiments concerning which, they have, in the recess of assembly, had an opportunity of collecting, and though such numbers already have, and, we hope, will still engage in it, under its present form, as may prove a considerable addition to our strength, yet, as there are material objections made to it, and as they understand are to be laid before your honourable house by divers respectable bodies of men, they submit to you, whether

it will not be highly expedient, and consistent with good policy, immediately to remove every cause of discontent, on this head, from the minds of the associators, who, under an apprehension of partial and unequal burthens imposed on them, have nevertheless had the virtue not to refuse their services to their country, in confidence that your honourable house will re-consider the several provisions and regulations complained of, and give them satisfaction therein."

It is interesting thus to observe the gradual change of public opinion, in a colony where it could not be attributed to any direct injury which might have created a momentary hostility, but solely to a general system of oppression which all were forced to resist. We shall, therefore, add another document of the assembly of Pennsylvania, although Mr. Taylor does not appear to have been immediately concerned in its composition, as he was absent from the house at the time. It has not, so far as we are aware, ever been presented to the public except in large official journals, and will serve to complete the chain of those successive and gradual events which led from harmony to resistance, and finally to separation. We have seen what were the instructions given to the delegates to the continental Congress in November, 1775—in June, 1776, they were as follows: "When by our last instructions we strictly enjoined you, in behalf of this colony, to dissent from and utterly reject any propositions, should such be made, that might cause or lead to a separation from Great Britain, or a change

of the form of this government, our restrictions did not arise from any diffidence of your ability, prudence or integrity, but from an earnest desire to serve the good people of Pennsylvania with fidelity, in times so full of alarming dangers and perplexing difficulties.

“The situation of public affairs is since so greatly altered, that we now think ourselves justifiable in removing the restrictions laid upon you by those instructions.

“The contempt with which the last petition of the honourable congress has been treated:—The late act of Parliament, declaring the just resistance of the colonists, against violences actually offered, to be rebellion, excluding them from the protection of the crown, and even compelling some of them to bear arms against their countrymen:—The treaties of the king of Great Britain, with other princes, for engaging foreign mercenaries to aid the forces of that kingdom, in their hostile enterprises, against America; and his answer to the petition of the lord mayor, aldermen and commons of the city of London, manifest such a determined and implacable resolution to effect the utter destruction of these colonies, that all hopes of a reconciliation, on reasonable terms, are extinguished. Nevertheless, it is our ardent desire, that a civil war, with all its attending miseries, could be ended by a secure and honourable peace.

“We therefore hereby authorize you to concur with the other delegates in Congress, in forming such further compacts between the united colonies, conclud-

ing such treaties with foreign kingdoms and states, and in adopting such other measures as, upon a view of all circumstances, shall be judged necessary for promoting the liberty, safety and interests of America; reserving to the people of this colony the sole and exclusive right of regulating the internal government and police of the same.

“The happiness of these colonies has, during the whole course of this fatal controversy, been our first wish. Their reconciliation with Great Britain our next. Ardently have we prayed for the accomplishment of both. But, if we must renounce the one or other, we humbly trust in the mercies of the Supreme Governor of the Universe, that we shall not stand condemned before his throne, if our choice is determined by that over-ruling law of self-preservation, which his divine wisdom has thought fit to implant in the hearts of his creatures.”

These views of the assembly were in perfect accordance with the wishes of the people; but owing to the strong reluctance which existed among many of the members, of thus making a breach which could never be repaired, they were not adopted with the unanimity which so great a measure required. Indeed it had become evident, that an essential change ought to be made in the nature of the government, and the whole energies of the province should be exerted, in giving weight to the great object at which congress were aiming. The regular assembly was, therefore, allowed gradually to cease by the absence

of its members, and a temporary body, called a conference, consisting of committees chosen by each county, met at Philadelphia, and assumed by degrees a large portion of the legislative powers. On the twenty-fourth of June, they took up the subject which had engaged the attention of the assembly—the dissolution of allegiance to Great Britain, and coinciding in the views which we have seen that body adopt, passed a resolution unanimously, as the deputies of the people of Pennsylvania, in which they expressed their willingness to concur in a vote of Congress, declaring the united colonies free and independent states, and asserted that this measure did not originate in ambition or in an impatience of lawful authority, but that they were driven to it in obedience to the first principles of nature, by the oppressions and cruelties of the king and parliament, as the only measure left to preserve and establish their liberties, and transmit them inviolate to posterity.

Emboldened by this approbation and that of most of the colonies, Congress proceeded zealously towards the great end. But in their body, there were yet many who looked with fearful anticipation on the consequences. Among these were several of the delegates from Pennsylvania, and neither the instructions of the assembly nor the resolutions of the conference, had yet changed their sentiments. When we mention among these the name of that great and good man John Dickinson, we give sufficient proof that the cause of these sentiments was no unmanly fear. It

was a reluctance to jeopardize the future prospects of the country, by involving them in a war with a powerful nation; it was, they asserted, changing the wholesome system of resistance to arbitrary acts, into the pursuit of ends which the happiness of the people did not require. It was relinquishing the safe ground on which the colonies had planted themselves, and rushing into a war which in its course must bring with it slaughter and inexpressible distress, and in its end might fix a severe despotism on the ruins of liberties that had been rashly hazarded.

Fortunately there was energy enough in Congress to resist these plausible but delusive opinions, and when the ultimate question was proposed, an approving vote by all the colonies, gave to the measure of resistance that unanimity which secured its eventual success. Of the delegates from Pennsylvania, however, five still retained their sentiments in opposition to the majority. The approbation of the state was only obtained by the casting vote of Mr. Morton. Under these circumstances a new choice of representatives became necessary, and on the twentieth of July the convention of the state proceeded to elect them. Mr. Morton, Dr. Franklin, Mr. Morris, and Mr. Wilson were re-elected, and in lieu of the other five gentlemen were substituted Mr. Taylor, Mr. Ross, Mr. Clymer, Dr. Rush and Mr. Smith. On the same day Mr. Taylor took his seat in Congress.

On the second of August following Mr. Taylor signed the Declaration of Independence. It was not

until that time, that any delegate actually affixed his signature to the instrument; for although it was passed and proclaimed on the fourth of July preceding, the copy engrossed on parchment, was not prepared until nearly a month after. These circumstances have once or twice given rise to errors, but they have been fully explained in a letter from Mr. M'Kean, one of the delegates from Delaware, which is inserted in his life. The acts of Mr. Taylor while a member of Congress, are involved in the same obscurity which surrounds every other part of his life, public and private. The journals of Congress do not often mention him, nor have we any means of forming an opinion of the peculiar turn of talent which he displayed, or line of services which he rendered. He was engaged for some time in a negociation, on behalf of the United States, with several of the Indian tribes on the borders of the Susquehanna, and appears to have formed a treaty with them at Easton, where he had now taken up his residence.

In March, 1777, he retired from Congress and never after engaged in public service. Settled at Easton, in the neighbourhood of his estates, he devoted the declining years of his life to increase their value, and somewhat to recover from the losses he had sustained by long estrangement from his domestic affairs. In these peaceful pursuits four years slipped quietly away. On the twenty-third of February, 1781, he died, being at the time, sixty-five years of age. He has no legitimate living descendants. He

had two children by his wife, a daughter who was never married and a son James, an attorney, who died before his father, when only twenty-nine years of age. He left however several children, but the last of them was drowned in the Delaware some years ago.

We have no other means to judge of the peculiar character of Mr. Taylor, than the slight incidents we have recorded in this memoir. From these we may fairly conclude, that he was a man of strong native parts, and of honourable conduct, industrious and enterprising in his habits, and useful in times requiring firmness and strong good sense. He is of course almost forgotten, even in the country where he used to reside, but the old men of the neighbourhood who recollect him, when asked about his character reply, that "he was a fine man and a furious whig."

The first part of the paper is devoted to a general
 introduction of the subject. The second part
 contains a detailed account of the various
 experiments which have been conducted
 in this field. The third part is devoted to
 a discussion of the results obtained and
 a comparison with the theoretical
 predictions. The fourth part contains
 some concluding remarks and a list of
 references.

JOHN HART.



HART.



IF those who administered the British government in the early part of the reign of George the third, had been well informed of the real character of that party in the colonies, which opposed their pretensions to the exercise of unlimited power, they would have seen much sooner the impracticability of their scheme, even though they might not have been convinced of its injustice.

They were not aware that prudent and unambitious men—established land-holders, deeply interested in the preservation of tranquillity, had rallied round that standard of resistance which was too often supposed to be supported only by needy adventurers, or noisy demagogues, to whom any change might bring an improvement of condition.

A cause thus sustained could not be overthrown except by the devastation of the whole country. The determined resistance of the most intelligent and disinterested part of a whole community, could not be overcome unless by such extensive destruction and ruin as was not in the contemplation of the ministry or the parliament.

One of the patriots that voluntarily incurred the greatest degree of suffering, without the possibility of any individual gain, was JOHN HART, a member of that Congress which issued the memorable Declaration of Independence.

He was the son of Edward Hart, of Hopewell township and Hunterdon county in New Jersey, from whom he inherited a considerable patrimonial estate, and a spirit that would have been worthy of the best days of ancient Rome.

During the war with France, Edward Hart was one of those brave and loyal colonists who generously lent their aid to the military operations of England : aid that was gladly received and emphatically acknowledged but never recompensed, by the royal government. He exerted himself in the cause of the mother country so far as to raise a corps of volunteers, called the Jersey Blues ; a name that they first bore, but which has become a distinguished and favourite military designation since that period. With this corps he marched into Canada, and arrived before Quebec in time to participate in the victory which closed the mortal career of General Wolfe.

John Hart, the son, did not join in these military expeditions, but was quietly cultivating a farm of four hundred acres, which he had purchased. He had married a lady of respectable connexions and great amiability of character, named Deborah Scudder, and was surrounded by a numerous family of sons and daughters. In the enjoyment, therefore, of domestic

happiness, and engrossed by the cares of his farm, he felt no aspiring for martial fame, and was not particularly excited by the quarrel between France and England, in which the colonies took, generally, an active part.

He served, however, in the colonial legislature, and for twenty years assisted in the local legislation which was exercised for the improvement of the country, in the laying out of new roads, the erection of bridges, the founding of seminaries of education, and the provisions for administering justice: all of which beneficial objects were peculiarly within the range of powers devolved upon the general assembly. When the series of aggressions upon the rights of the colonies was commenced by the passage of the stamp act in the year 1765, he assisted in the selection of delegates appointed to represent New Jersey in the Congress held at New York, in the month of October of that year; and he was one of those who at once perceived the true nature of the dispute between the ministry of king George on the one side, and the people of the colonies on the other; he saw clearly that the question at issue between them, involved nothing less than absolute slavery to the colonies, if they should submit to the novel pretensions of the British government.

Mr. Grenville, the prime minister, who led the way in that mad career which successive administrations were so unfortunate as to follow, in their blind determination to coerce the colonies into submission,

did not probably comprehend the whole tendency of his own project. And it surprised many well disposed persons in Great Britain to see the Americans, after suffering so quietly all sorts of restrictions upon their trade and industry, avowedly imposed for the benefit of the mother country alone, now so greatly roused and excited by the mere anticipation of a trifling tax, which could not take from them, in half a century, more treasure than they would voluntarily throw away in a single campaign against the French and Canadians.

This erroneous view of the discontents was not uncommon, and the terror, grief and indignation caused by the threatened stamp duty, was attributed to a sordid apprehension of parting with an inconsiderable sum of money: the example of such men as John Hart should have been sufficient to prove the fallacy of such an imputation.

A farmer, what had he to do with stamped paper? He had no occasion to sign bills of exchange or promissory notes.—Far advanced in years, what improvement in his condition could he look for in civil strife and commotion? Possessed only of a farm and farmer's stock, what inducement of pecuniary saving could persuade him to join in measures that would invite a hostile army, with devastation in its train, to make his fields the theatre of war? Far different motives from the love of self could induce such men to assume an attitude of resistance against arbitrary power.

It has happened that in England the great contests for freedom, in which our ancestors were engaged, in opposition to the arbitrary pretensions of the crown, turned chiefly on questions of taxation. It was not the amount, but the principle of the poll-tax, and the ship-money, that made those exactions so intolerably odious among the people of England. On this question of the right in the governing power to take the subject's money without his consent, the ablest pens and most eloquent tongues of Britain had been exercised;—it was the point which had been made the criterion of happiness, so far as happiness depends on freedom. The right to retain property, untaxed but by the consent of the people through their representatives, had become the sensible object in which civil liberty seemed to reside. And as these principles had been preserved unalloyed in America, since they had been brought in all their freshness to Plymouth-rock, by the first pilgrims—to say that a community might be taxed without their consent seemed to the colonists precisely equivalent to the pretension that they might be chained, scourged and branded as the vilest slaves.

It is certain, that at this early period independence was not thought of, or if suggested at all, was not in the least desired by the respectable and loyal subjects who assembled at New York in the autumn of 1765. But that Congress, faithful to the principles of the British constitution, as received and proclaimed by the best and bravest men in England, from the time

of Magna Charta, unanimously declared, in reference to the stamp act, that taxation without representation would be intolerable tyranny.

The consequences of this assertion of a maxim so important in the relations between the colonies and the mother country, were of great moment to the interests of both countries. It roused the pride of the British aristocracy, while it excited also the attention of the colonists and gave them a principle to contend for, which being approved by their understandings and impressed upon their hearts, became of dearer value than their money or their trade, their farms or their houses; all of which, as well as their peace and safety, were willingly sacrificed in their determination to maintain it.

The intelligence that was received early in the subsequent year, of the change of ministry—the dismissal of the duke of Bedford and Mr. Grenville, and the appointment of the amiable lord Rockingham as prime minister, together with the repeal of the odious stamp act, spread a heartfelt joy throughout the colonies; but confirmed the people in the belief that the Congress at New York had asserted only what was just and undeniable.

The declaratory act of parliament, passed at the time of the repeal of the stamp act, as a salvo to the pride of those members who could not bear any seeming acquiescence in the claims of the colonies, was looked upon as an empty and unmeaning boast of power, while the actual repeal of the tax seemed a

decisive and final renunciation of the scheme of oppression. The colonies were satisfied and happy, and John Hart was one of the most contented and unambitious farmers to be found in all his majesty's dominions.

It was a period of great simplicity in manners and very general purity of life, yet even then he had so conducted himself in his dealings among the people of New Jersey, as to have acquired the familiar designation of "honest John Hart." A distinction of which his descendants may be more reasonably proud than if his lot had been cast where he might have acquired all the stars, crosses and garters, that royalty could bestow upon its favourites.

The even tenor of his life was interrupted by few incidents that would not appear trivial in narration. His farm grew yearly better in value and improvement, his stock increased, his family was augmented by a biennial addition of a son or a daughter, until he was surrounded by thirteen children ; in whose education, together with the care of his farm, the exercise of friendly acts of assistance to his neighbours, and serving brief tours of duty as a member of the colonial legislature, he found occupation of that enviable kind, which at once useful and tranquil, brings old age with no wrinkles but those which time has traced, and preserves for advanced years the cheerfulness of youth.

A course of life so peaceful and happy is not often destined to remain free from interruption. While

every thing was proceeding in its regular course in the domestic circle of "honest John Hart," great events were occurring on the other side of the Atlantic, which were to reach, with a malignant influence; even to the calm retirement of the New Jersey farmer.

In 1767, Charles Townshend being elevated, unfortunately for the British empire, to the place of chancellor of the exchequer, brought forward his plan of revenue, including duties on glass, paper, pasteboard, painter's colours and tea, imported into the colonies.

The generous confidence with which the colonists had reposed since the repeal of the stamp act, was now dispelled; they had trusted that the hateful project of imposing a badge of slavery upon them would not be revived, but the adoption by parliament of this new and aggravated imposition, excited the most serious alarm and the gloomiest apprehensions.

John Hart, in the midst of his quiet comforts, appreciated the extent of the evil that impended. Valuing all the blessings which were his own, he felt that they might all be rendered valueless if he were to possess them but as the slave of a despotic master. The amount of tax that he would have to pay was not worth a thought; he had little occasion for English paper, pasteboard, glass or paint; and tea was a luxury that hardly found its way to the tables of such plain country families as his.

But the sense of personal security and unalienable rights, the consciousness of being something more than a slave, the sturdy pride of freedom, which every Englishman of that day, and every inhabitant of the British colonies was accustomed to cherish as his birth-right—these were indispensable to him. Without these, all the advantages that he possessed were of no avail—his riches might increase, his friends might multiply, his honours thicken upon him, his children might be all that his parental wishes could suggest—still if he might be taxed, to the value of a straw, by a parliament in which he had no share of actual or virtual representation, he could be no more than a slave. It was a noble sentiment which actuated such men, to join in the plans of resistance—a sentiment alloyed by no hope of personal aggrandizement, excited by no restlessness of temper, fomented by no artful demagogues—but pure and disinterested, founded on a sincere belief of rights invaded, and leading to the most unbounded sacrifices.

It is known that the mode of opposition first adopted was an agreement to abstain from importing the articles which were made the subject of the duty; thus endeavouring to prevail on the British rulers to abandon the whole scheme of taxation, by convincing them of its being practically useless.

In this system Mr. Hart cordially joined, and gave it all the support and encouragement in his power.

This agreement was well observed in the colonies, and the duties, as a revenue measure, became entirely

nugatory. Still, however, the ministers of the king did not take the hint from the spirit and determination shown by the colonies, until the year 1770, when lord North, having become premier by the death of the duke of Grafton, rescinded the duties on paper, glass and paint, retaining only that upon tea.

This, to be sure, was but a half way measure ; it served to convince the Americans that their non-importation agreement had been useful and expedient, but it did not conciliate them in any great degree, because the right to impose such taxes was still asserted by continuing the impost on tea. It was an abortive and very short-sighted attempt to buy off the colonies from their opposition to the principle, by making the actual amount of the tax very trivial—an attempt founded apparently on the old errors, which no evidence nor experience could do away, of supposing that it was the money which the colonists dreaded to lose, instead of the right which they considered to be invaded.

Then came the determination, on the part of the Americans, to prevent the importation of any tea ; followed by the large shipments of that article by the East India company, with the export duty taken off, attended by the well remembered reception of the tea, at Boston and Charleston, where it was thrown into the sea, and at New York, where it was placed in damp stores, for the purpose of being spoiled and rotted.

This decided conduct brought matters to a crisis very shortly. The act of parliament, closing the port of Boston, and an act providing that offenders should be sent from Massachusetts to England for trial, made apparent the necessity for deliberation and consultation among the colonists.

The Congress of 1774 was called, and assembled. Of this body the members were variously constituted. Hart was elected in July, by a conference of committees from different parts of the colony, and was a fit representation of the moderation, disinterestedness and firmness that then characterized the people who elected him.

Of that august and venerable body nothing can be said in commendation, that would be beyond the truth. It was above all praise. To that body will future statesmen look, and learn what it is to be a patriot. There was no selfish intrigue for power, no aim at personal distinction or aggrandizement, no factious striving for individual honours. Of the members of that Congress it may emphatically be asserted, as was said of the Romans in their most virtuous age, "with them the republic was all in all; for that alone they consulted; the only faction they formed was against the common enemy; their minds, their bodies were exerted sincerely and greatly and nobly, not for personal power, but for the liberties, the rights, and the honour of their country."

The eloquent addresses prepared by this congress, to the king and the people of Great Britain, are well

known, and require neither comment nor eulogium. The precise share taken by Mr. Hart in these proceedings is not known—the sittings having been secret and no record preserved which indicates the particular conduct of each member. He is entitled to the praise, however, of having contributed with a zeal that cannot be doubted to the magnanimous and dignified efforts made by that truly patriotic assembly—in the maintenance of the rights, liberties and peace of their country.

He returned, after the adjournment of Congress, to the unvaried occupations of his farm ; and waited, with anxious hope, the effect of the appeal that had been made to the generosity of the king and British people.

In January, 1775, the general assembly of New Jersey re-appointed him a representative in the congress which was to meet in the ensuing spring. He took his seat in this illustrious council on the tenth of May ; and attended assiduously until the adjournment in the following August.

The battle at Lexington, in the preceding April, had given a more serious aspect to the dispute, and it was the business of this congress to make the first preparations for war.

Mr. Hart was one of the oldest members, being at that time about sixty years of age, and his cool and ripened judgment, aided to temper the impetuous zeal of the youthful delegates from some of the southern states.

During the recess, he devoted himself to his agricultural concerns; and finding that the farm required his almost constant care, and having seen the important measures of defence adopted, he did not resume his seat in Congress when they re-assembled in September. He thought that younger men, and such as were less encumbered with families, might very properly take the labour on themselves, of the public business; and having no ambition of distinction for himself, he requested the colonial assembly to excuse him from serving any longer as their delegate, setting forth at the same time the peculiar situation of his family, and private affairs, as an excuse for thus seeking to withdraw from their public service. The assembly considered his apology satisfactory, and in November of the same year accepted his resignation.

He was not, however, entirely freed from public duties; as a member, and vice president of the colonial assembly, much of his time and attention was still occupied. In those days of difficulty and alarm, his wisdom and integrity, his benevolence and generosity, were too conspicuous and too useful, to remain in seclusion.

At this time, however, the royal authority ceased in New Jersey, and the general Assembly was superseded by a convention of deputies from the several counties, attended of course only by confirmed and decided whigs. This convention, on the fourteenth of February, 1776, elected Mr. Hart one of their

delegates to Congress, and he did not refuse the appointment.

His colleagues were William Livingston, Richard Smith, John Cooper and Jonathan Dickinson Sergeant; and they were vested with full powers to consent and agree to all measures which Congress might deem necessary; and the province of New Jersey was pledged by the resolution appointing these delegates, to execute to the utmost all resolutions which Congress might adopt.

The instructions implied by the terms of this appointment did not seem to contemplate so bold a measure as a declaration of independence; indeed little had yet been said on such a subject, and the hope of a happy reconciliation with the royal government, was not yet extinct.

But the lapse of a few months brought a very different aspect of public affairs. The intelligence received from England of the total failure of every proposal offered in the House of Commons, tending towards a pacific policy, the treaty with the duke of Brunswick and the elector of Hesse Cassel, stipulating for the employment of foreign mercenaries in the reduction of the colonies to unconditional submission, and the indifference shown by the British people, who it had been hoped, would have felt the wrongs attempted to be done to the Americans as outrages on their own liberties—all conspired to show a gloomy and a warlike prospect.

At home too, the feelings of the people had become exasperated, and New Jersey, which had been second to no one of the colonies in loyalty and love of peace, became thoroughly and rapidly changed.

The machinations said to be detected early in the year 1776, which had been directed against the fidelity and spirit of the army and the safety of the commander-in-chief, excited the indignant patriotism of the people of this province perhaps more than even the proofs of determined and violent hostility on the part of the British government.

In this state of sentiment the provincial Congress, in whose hands the representation of the people now resided, determined to make such changes in their delegation to the general Congress as would evince the decision of their own minds, and secure the vote of New Jersey from being given in favour of temporizing or timorous measures.

Accordingly, on the twenty-first of June, a new appointment was made, in which John Hart was retained as being of accord with the people in their determination to risk all, and suffer all, that might be necessarily risked or suffered in the effort to gain independence; but some of his colleagues were not continued, because their zeal or their firmness could not so safely be trusted.

This new appointment, made after the proposition to declare independence had been brought forward in Congress, and with a knowledge of Mr. Hart's opinions on the question, was accompanied with instruc-

tions "to join with the delegates of the other colonies in continental Congress, in the most vigorous measures for supporting the just rights and liberties of America, and if you shall judge it necessary or expedient for this purpose, to join with them in declaring the United Colonies independent of Great Britian, entering into a confederation for union and common defence, making treaties with foreign nations for commerce and assistance, and to take such other measures as may appear to them and you necessary for those great ends, promising to support them with the whole force of this province, always observing that whatsoever plan of confederacy you enter into, the regulating the internal police of this province is to be reserved to the colonial legislature."

Although the life of John Hart was now drawing towards its close, and he was already full of years, the act most important to his future fame was yet to be performed.

A few days after this decisive step of the Jersey provincial Congress, the British general, Howe, arrived at New York and was soon followed by his army.

The approximation of the scene of bloodshed to his own quiet home could not be regarded by him without the most anxious forebodings. That Jersey would soon witness the march and suffer the ravages of the hostile army, with their outlandish auxiliaries—strangers to the tie of common language and similar habits, which yet held the British and Ameri-

cans from entering into the worst atrocities of war, towards each other—and used at home to consider rapine and cruelty as customary attributes of military life,—was a natural and reasonable anticipation.

Having put his hand to the plough, however, he would not turn back. He voted for the declaration of independence, without hesitation or reluctance; although well knowing the peril that he was bringing upon his property, his family and himself.

The declaration was at first published with only the names of Mr. Hancock, as president, and Charles Thomson, as secretary. Such was the caution still prevalent respecting this most important measure, the consequences of which would have been most disastrous to all concerned in it, if the contest had eventuated in the success of the British armies.

It is remarkable in the history of the revolutionary war, and is a fact in the highest degree honourable to the patriots of that period, that their courage and spirit always appeared to be most lofty when the pressure of external circumstances seemed most disheartening.

When the declaration of independence was first promulgated, the British army had just landed on Staten Island; and no one could tell which of the members of the Congress had voted for a manifesto so offensive to the royal government. The president and secretary alone could be identified as individually responsible. Soon afterwards the battle on Long Island was fought, the American army was defeated

with considerable loss; and it was known that the royal army was numerous, well disciplined and brave;—under these circumstances a new publication of the declaration was made, with the names of all the members, both those who were actually present, and those who came into Congress subsequently.

Far from shrinking at this alarming crisis from the share of responsibility and contingent punishment attaching to each individual, by a concealment of the part that each had taken; every one seemed desirous to affix his name to an instrument which would have brought down on all the signers the direst vengeance of the British government, if the contest, apparently so unequal, had ended in the overthrow of the colonists.

It is impossible to contemplate without admiration the moral courage, the generous disinterestedness, the determined conscientious resolution which could impel such a man as John Hart to sign his name to a paper which he could not but know would be a signal for the devastation of his farm, the ruin of his property, the dispersion of his family, and the total impoverishment of himself and his children. Not impelled by personal ambition, nor sustained by the ardour of youth—already trembling with the feebleness of age, and having neither hope of a protracted life to enjoy in his own person the restoration of peace and the establishment of political rights—nor suited by temperament, habit or education, for the attainment of political distinction;—what could have supplied

him with the motive for such heroic self-devotion? His motive is to be sought only in a sober conviction of rights invaded, in the dictates of a pure and enlightened patriotism, and a pious reliance on the protection of Heaven upon those who conscientiously performed their duty.

Accustomed during all his life to guide his conduct by the rules of right, and not by considerations of expediency, the same principle of rectitude which had made him the chosen arbiter of all disputes among his neighbours, and acquired for him the title of "honest"—a distinction which immortalized Aristides—this honesty impelled him to execute all his duties faithfully in whatever situation he might be placed, and guided him in the most elevated public act which was to be known and judged by the whole world, as well as in the most trivial concerns of his domestic circle.

New Jersey soon became the theatre of war. The British army proceeded as far as the banks of the Delaware, and their progress and vicinity was marked by the most unrestrained and wanton destruction of property. The details of their ravages, as they were communicated to congress, were most shocking and odious. The family of Mr. Hart escaped from insult by retiring from the neighbourhood of the troops; leaving the farm and stock to be pillaged and destroyed by the Hessians.

The waste committed there by the marauding parties of the enemy was unsparing, and they sought

with great eagerness to make Mr. Hart himself a prisoner.

Being unwilling to leave his family at this particular juncture, his wife being extremely ill, he exposed himself frequently to the necessity of a precipitate flight, and a most inconvenient concealment. It had been impossible, so late in the season, to remove Mrs. Hart, who was afflicted with a disorder which terminated in her death, at this gloomy and disastrous period. Mr. Hart was driven from the bedside of his dying partner, and hunted through the woods and among the hills, with a perseverance on the part of his pursuers, that was worthy of a better cause.

It was not until the latter end of December, that the enterprize of Washington, in striking suddenly at the Hessians posted at Trenton, cleared Jersey of these unwelcome visitors. Until that time Mr. Hart was a fugitive—an exile and a wanderer—among the scenes of his youthful sports and his manly usefulness. While the most tempting offers of pardon were held forth to all rebels that would give in their adhesion to the royal cause, and while Washington's army was dwindling down to a mere handful, was this old man carrying his gray hairs and his infirmities about from cottage to cottage, and from cave to cave; leaving his farm to be pillaged, his property plundered, his family afflicted and dispersed—yet through sorrow, humiliation and suffering—wearing out his bodily strength and hastening the approach of decrepitude and death—but in spirit never despairing, never

repenting the course he had taken—hoping for the best, and upheld by an approving, nay an applauding conscience, and by a firm trust that the favour of Heaven would not be withheld from a righteous cause.

The particulars of his wanderings, as he afterwards in his unostentatious way related them, would require too minute a detail for the scope of the present work. The extremities to which he was reduced, may be judged from two facts: one is, that for a long period he never ventured to sleep twice at the same house; and the other, which he very good humouredly told of himself, was, that on one occasion, being sorely pressed for a safe night's lodging, and being unknown where he applied for one, he was obliged to share the accommodations of a large dog—a bedfellow, as he declared, not in those evil times the most exceptionable.

The successes of the American army at Trenton and Princeton, and the consequent evacuation of the greater part of Jersey by the British, relieved him from his most uncomfortable concealment, and enabled him to collect his family again, and set about repairing the damages done to his plantation.

They were more easily repaired indeed, serious as they were, than the injuries which hardship and anxiety had committed on his health and constitution.

In restoring his devastated farm to order and in giving advice to his numerous friends and neighbours, who now in great numbers sought his counsel, he

found ample occupation, and he did not resume his seat in Congress.

He lived to see much brighter prospects open—the surrender of Burgoyne, and the French alliance, left little doubt on the minds of most men, that with more or less of disaster and difficulty and endurance, but surely even if slowly, independence and peace would be obtained.

Happy in the strengthening of this hope into a confident anticipation, and in the consciousness of having well performed his duty during the whole of his life, he sunk into the arms of death, in the year 1780; leaving behind him a character as free from any stain of sordid, or selfish, or uncandid motive, as it has ever fallen to the lot of man to sustain.

The only public employment that he ever held, except those which have been mentioned, was that of justice of the peace; in the exercise of which he was an example of patient investigation and equitable judgment—qualities which brought to the jurisdiction of his humble judgment seat many of his neighbours, among whom the belief of his untarnished probity and cool sagacity was unbounded.

He was in personal appearance highly prepossessing, and in his younger days had been called handsome. His height was about five feet ten inches,—his form straight and well proportioned—his hair very black, his eyes light, and his complexion dark. He was a man of great kindness and justice in his domestic relations; of which traits many characteristic

anecdotes are recollected by his surviving friends. It is told, for example, that he had a negro servant named Jack, between whom and his master the best understanding always subsisted. During one of Mr. Hart's absences from home Jack committed some offence, which incurred the heavy censure of the family, and subjected him to the charge of such a mal-appropriation of valuables as might fall within the definition of larceny. On his master's return this was told to him, with some urgent requests that he should cause the offender to be punished. But he resisted, and good humouredly declared that it was impossible for Jack to steal from him, since he confided all his moveables to Jack's care, and nothing more than a breach of trust could be made of it, which it was not worth while to prosecute.

Mr. Hart was a munificent benefactor of the Baptist church, of Hopewell township, to which he presented the ground on which the meeting house stands, and for a burial ground adjoining.—He attended with his family, regularly, on the public worship at this church until his last illness, and was always known as a sincere, but unostentatious Christian.

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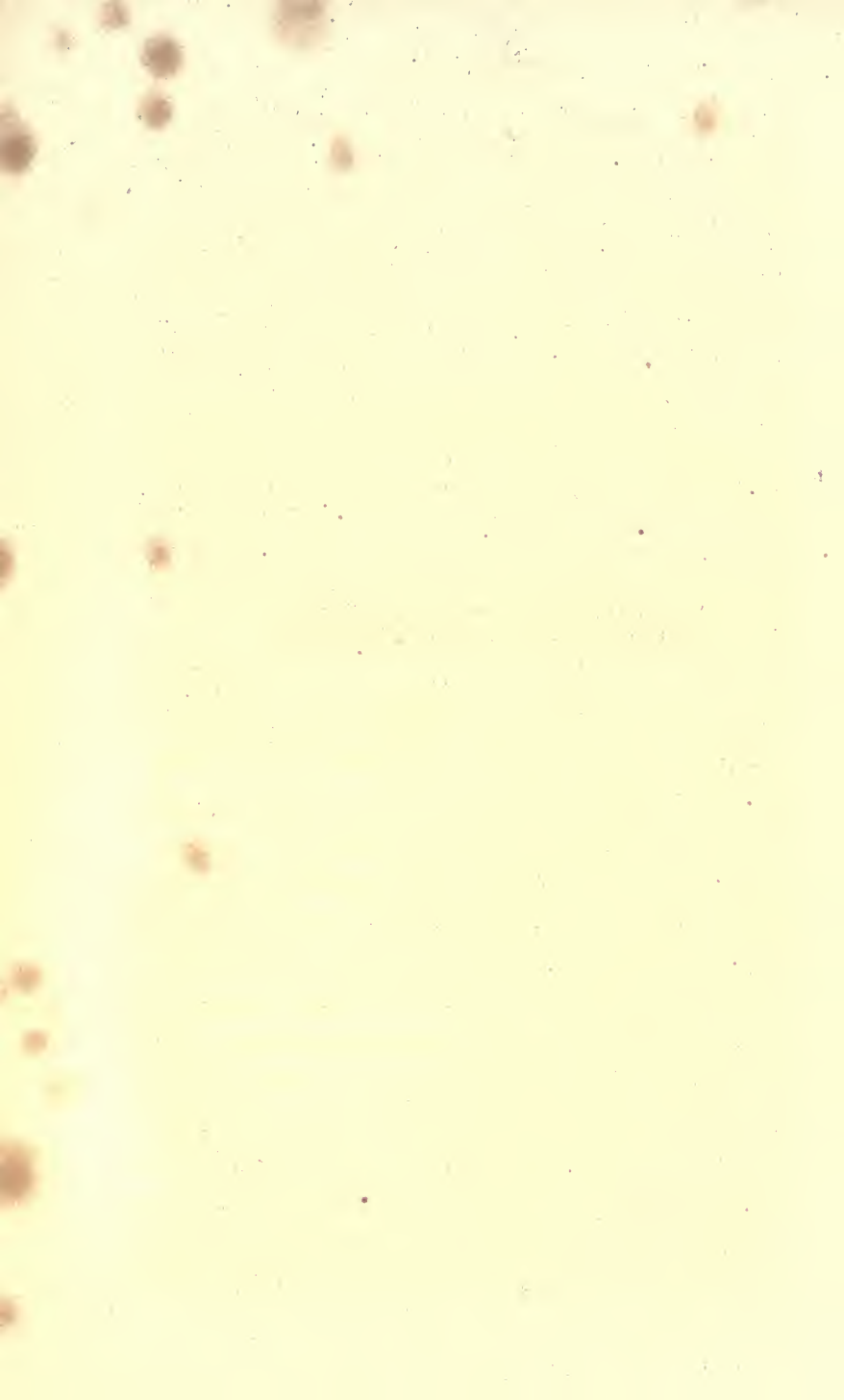
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LEWIS MORRIS.

VOL. IX.—q



LEWIS MORRIS.

THE Morris family were, through several generations, greatly distinguished in the province of New York. They were known for the very conspicuous part which they bore in the public affairs of the colony, and the high station and popular influence which they acquired by their talents and their virtues, as well as by their extensive possessions.

They had, too, all the advantages, which in the early times of our colonial history were not inconsiderable, arising from illustrious descent.

The pride of ancestry, whether a virtue or a vanity, is now almost extinct in America. Few persons in this great nation cultivate genealogical information, or feel more than a very slight curiosity respecting their progenitors. It has happened, however, to this family, to retain a complete history of their pedigree, by which their descent is authentically traced to ancestors of great celebrity, in very ancient times.

The name of *Morris*, now not uncommon, was it seems, a corruption, through the intermediate *Morrice*, which the Germans translated into *Mauritius*,

from *Maur-Rhys*, a Welsh appellation for Rhys, or Rhice, Fitzgerald, who was a Cambrian chieftain, and a successful invader of Ireland, in the reign of Henry the second. The king having recalled Rhice from his conquests, and appropriated them to himself, gave him in compensation a large domain in Wales, where the family flourished for many generations, having dropped the name of Fitzgerald, and adopted that of Maur (or great) Rhice.

In the seventeenth century the descendants of the great *Rhys* were still considerable people in Monmouthshire, and were called Maurice or sometimes Morrice. Some of them took part in the civil wars, and one, Richard Morris, was a leader of distinction in the armies of Cromwell.

Being dissatisfied with the posture of affairs, about the time of the restoration, he came out to Barbadoes, and soon after transferring himself to New York, he purchased a large estate near Haerlem, in West Chester county, within a few miles of the city, and obtained a grant from governor Fletcher, which erected his domain, of more than three thousand acres, into a manor, under the name of Morrisania, and furnished with all the customary manorial privileges.

He died in the year 1673, leaving an only child called Lewis—an infant at that time—who became afterwards chief justice of the province of New York, and governor of New Jersey, and possessed great influence and distinguished consideration in both those colonies.

In the next generation, the sons of Lewis held the elevated stations of judge of the court of vice admiralty, chief justice of New Jersey, and lieutenant governor of Pennsylvania. One of these, Lewis Morris—the judge—was the father of the patriot whose life and character it is now proposed to delineate.

LEWIS MORRIS, the subject of this memoir, was born at Morrisania in the year 1726, and was the eldest of three brothers, of whom one, Staats, was a general officer in the British service, and member of parliament. Richard was judge of vice admiralty, and chief justice of the state of New York, and Gouverneur was a distinguished orator and member of Congress.

Lewis received the sort of education usually given at that period to the sons of gentlemen, but with only the limited advantages which a residence in the country afforded.

At the age of sixteen he was sent to Yale College, where, under the care of the learned and pious Dr. Clap, he was taught the learned languages and mathematics; and his youthful mind was imbued with the lessons of morality and religion.

He was graduated as Bachelor of arts at the public commencement in 1746, and returning immediately to his paternal acres, he devoted himself assiduously to the theory and practice of agriculture.

This particular period has been called the golden age of the colonies. Certainly a remarkable degree

of tranquillity and plenty, of peace and prosperity, was then enjoyed. The yoke of government sat lightly—the power of internal legislation was exercised with little restraint, by the colonial legislatures—the authority of the crown was scarcely felt or seen, and the means of comfortable subsistence were within the easy attainment of all men.

At this happy æra Lewis Morris passed from youth to manhood;—he was one in whom both for his illustrious descent and connexions, and for his large possessions, the eyes of the whole province of New York were turned—and he was, according to the tradition that reaches us—richly endowed with all the most prepossessing and attractive graces of person and manners.

Such attributes become the scorn of advanced years, and history cares little for them, but they are the glory of youth—it may, therefore, be worth recording, that Lewis Morris possessed a lofty stature, a singularly handsome face, and the most graceful demeanor, with a temperament so enthusiastic and ardent, and a disposition so benevolent and generous, as to render him in his native province the universal favourite of his coevals.

The town, however, with all its attractions of society and pleasure, could not draw him away, except occasionally, from the care of his estate at Morrisania, where he became a farmer on a very large scale of agricultural operations, which he carried on with spirit and success.

He was early in life blessed in a very happy matrimonial connexion with Miss Mary Walton, a young lady of large fortune and amiable character, who became the mother of six sons and four daughters.

Mr. Morris was of a cheerful as well as a sanguine temper, seldom allowing external circumstances, however vexatious in their nature, to depress his spirits; he was, also, a zealous friend, and fortunate in his friendships, no one of which he had ever reason to repent of or withdraw.

Such was the peaceful and prosperous condition of his life when the troubles of his country began. Of his brothers, one was high in military rank in the service of the king, and married to the dutchess of Gordon, and another successful in his profession, and judge of the vice admiralty court.

Possessing an extensive estate in the immediate vicinity of the city, surrounded by a numerous offspring, a large circle of friends and no enemies, in the interesting pursuits of agriculture, the education of his children, and the exercise of liberal and elegant hospitality, he found ample and delightful occupation. The disputes between the colonies and royal government promised no improvement in his means of happiness, but brought in effect, a blight upon his felicity which nothing could compensate but the consciousness of deserving the gratitude of his country and of posterity.

The act of parliament, usually called the stamp act, elicited no where more emphatic denunciations than

at New York ; where it was lamented as a calamity and upbraided as an oppression, in every form of public and private expression. The newspapers were decorated with black borders and awful emblems of death—the publication of them suspended or threatened—letters, speeches, resolves of public meetings—all the indications of a universal and sincere sense of wrong and injury abounded. In all this Mr. Morris bore his part. He was a private individual, and not disposed to put himself unnecessarily forward ; and as nothing more than complaint was at this time in contemplation, he very willingly allowed others to take the lead in the outcry, reserving his energies for the time of action. The early repeal of the obnoxious act allayed the ferment, and contentment again prevailed for a short period.

In the year 1767, the province of New York was put to a severe trial of her spirit and firmness by the act requiring additional supplies to be given to the king's troops. This imposition was very partial in its operation, only those places where parts of the royal army were quartered, being subjected to its influence. Upon New York it operated with particular severity and inconvenience, and was an invasion of the right of property almost as gross as that which had been attempted in the stamp act.

On the subject of this law, and on the question of submitting to it, Mr. Morris was decided and unreserved. He did not hesitate to pronounce it unconstitutional, tyrannical, and not to be submissively

borne—and he joined in promoting the spirit which induced the colonial legislature to refuse their compliance.

This was a bold, perhaps a rash measure, for the single unsupported colony of New York. The aggression had not been made the subject of consultation among the colonies, and New York alone could not reasonably hope to resist the power of Great Britain. The fearless spirit then exhibited, however, though prematurely and fruitlessly shewn, was highly honourable to the people of that colony, and makes amends in history, for the supineness with which New York was subsequently charged.

The result of so unequal a contest was such as might have been foreseen. After a few months of contumacy the province found itself obliged to submit, the royal troops were supplied with the salt, vinegar, beer and cider called for by the military requisition; and a sullen silence, on the part of the inhabitants was supposed by the British government to be indicative of satisfaction.

At this time, the colony most seriously embroiled with the royal authority was that of Massachusetts, but the others were by no means unconcerned spectators, and when, at length, the severe measures were successively adopted—of the revival of the statute of Henry the eighth, for sending persons charged with treason to England for trial—the closing of the port of Boston, and the bill authorizing the king's officers to send to England any person in Massachusetts ac-

cused of any offence—these tyrannical and cruel impositions were felt by the whole as aggressions on each, and by general consent the memorable congress of 1774 was assembled.

The business of this meeting of delegates was not to prepare for war, but by pacific consultation and explanations, to produce a restoration of tranquillity and good understanding. The fervent loyalty which breathes in their eloquent addresses to the king, the British people, and their fellow subjects in the colonies, and the entire absence of all hints at any intention of resistance, shew the purposes for which they considered themselves brought together.

There could not have been a fairer experiment made of the efficacy of humble petitions to the royal government, and of affectionate appeals to the people of England. And no experiment, begun with such rational prospect of at least partial success, could have terminated in a more total failure.

Mr. Lewis Morris was not a member of this Congress. He was too decided and zealous an assertor of the rights of the colonies, and too bold a declaimer against the arbitrary acts of the ministry. The object at this time was peace, to be secured by compromise, and too rigid an adherence to the rights of the colonists, or too warm an expression of the sentiments which the conduct of the government could not fail to excite, might mar the scheme of pacification.

The entire indifference with which the representations of this Congress were received in England,

and the manifestations of a determined perseverance on the part of the ministry, convinced the greater part of the colonists that something more vigorous must be done than the issuing of humble memorials.

The choice of delegates to the Congress of the succeeding year, was governed in a considerable degree by different principles, and men of less timid disposition, and more enthusiastic spirit, were in many cases substituted for more cautious and more loyal predecessors.

The bloody skirmish, sometimes called the battle, at Lexington, had occurred just in time to infuse fresh ardour into the hearts of the New York convention of deputies, which on the twenty-second of April, 1775, assembled for the purpose of choosing delegates to the general Congress; and under the influence of this feeling they chose Mr. Morris as one of them; an appointment which he proceeded to fulfil, on the fifteenth of May, when he took his seat.

In the proceedings of the previous Congress, the olive branch alone was discernible—humility, loyalty, patient suffering was the only boast;—now the tone appears somewhat changed, the sword is shown, undrawn, in one hand: the olive branch still held in the other;—loyalty was still the profession and devoted attachment to the king, but these sentiments are curiously blended with an acknowledgment that reconciliation may not be possible, and recommendations to prepare for war. This mixture of affectionate fidelity to the king, with bitter complaints against

his ministers, and a stern resolution to defend themselves, is strikingly exemplified in the following resolutions, which were adopted very early in the session.

“That his majesty’s most faithful subjects in these colonies are reduced to a dangerous and critical situation, by the attempts of the British ministry to carry into execution, by force of arms, several unconstitutional and oppressive acts of the British parliament for laying taxes in America; to enforce the collection of those taxes, and for altering and changing the constitution and internal police of some of these colonies, in violation of the natural and civil rights of the colonists.

“Hostilities being actually commenced in the Massachusetts Bay, by the British troops under the command of general Gage, and the lives of a number of the inhabitants of that colony destroyed, the town of Boston having not only been long occupied as a garrisoned town in an enemy’s country, but the inhabitants thereof treated with a severity and cruelty not to be justified even towards declared enemies; large reinforcements too being ordered and soon expected, for the declared purpose of compelling these colonies to submit to the operation of the said acts; that therefore, for the express purpose of securing and defending these colonies, and preserving them in safety against all attempts to carry the said acts into execution by force of arms, these colonies be immediately put into a state of defence.

“But, as we most ardently wish for a restoration of the harmony formerly subsisting between our mother country and these colonies, the interruption of which must, at all events, be exceedingly injurious to both countries, that with a sincere design of contributing by all the means in our power, not incompatible with a just regard for the undoubted rights and true interests of these colonies, to the promotion of this most desirable reconciliation, an humble and dutiful petition be presented to his majesty.

“That measures be entered into for opening a negociation, in order to accommodate the unhappy disputes subsisting between Great Britain and these colonies, and that this be made a part of the petition to the king.

“That the militia of New York be armed and trained, and in constant readiness to act at a moment's warning; and that a number of men be immediately embodied and kept in that city, and so disposed of as to give protection to the inhabitants, in case any insult should be offered by the troops, that may land there, and to prevent any attempts that may be made to gain possession of the city, and interrupt its intercourse with the country.

“That it be recommended to the provincial convention at New York, to persevere the more vigorously in preparing for their defence, as it is very uncertain whether the earnest endeavours of the Congress, to accommodate the unhappy differences between

Great Britain and the colonies, by conciliatory measures, will be successful."

Soon after these first hints of war, Mr. Morris was placed on a committee, of which Washington was the chairman, to consider on ways and means to supply the colonies with ammunition and military stores. The labours of this committee were as embarrassing as any that could be imagined: the condition of the colonies as to the possession of the implements of war was nearly that of absolute destitution; and the choice was difficult between the expediency of keeping the degree of their poverty, in that respect, a secret, and the urgent necessity of an appeal to the patriotism of the country at large for the means of a supply.

The battle of Bunker's Hill, which occurred in the ensuing month, left no argument for half-way measures unrefuted; and the appointment of Washington to the command of the army at the same time, was a decisive indication of the course which the congress had determined to adopt.

Mr. Morris continued during the residue of this session faithfully performing his duties on the floor and in committee; but before the commencement of the next, he went to the western country for the purpose of assisting in the difficult operation of detaching the Indians from the interests of the British government, and inducing them to join their force to that of the colonists.

He continued at Pittsburg and the vicinity until the winter, and was in constant correspondence with the congress on the subject of Indian affairs.

He was also employed in public service, out of congress, in the endeavour to persuade the several assemblies of the New England states to procure a supply of arms. And after he resumed his seat in the beginning of the year 1776, he was engaged as a member of the committees to contract for the purchase of muskets and bayonets, and to consider the ways and means of encouraging the manufacture of saltpetre and gunpowder; also on the standing committee for Indian affairs, and several of a temporary and less important character.

It is well known that great reserve was practised at this period, respecting the design of establishing a government independent of Great Britain; and the public addresses and resolutions, however bitter against the ministry, generally contained a salvo of respect towards the king.

Early in the winter of 1775-6, a member moved a resolution, signifying that inasmuch as some persons erroneously or maliciously ascribed to congress the design of declaring independence: therefore it was proper to make a public disavowal of any such unjustifiable intentions. This was an awkward subject for the congress to manage: they were not yet prepared to declare the colonies independent, and yet a large proportion, if not nearly all, and certainly Mr. Lewis Morris among the number, were most decidedly op-

posed to any pledge or assurance that such a measure would not be adopted. The proposal was got rid of without taking any vote upon it; and in order to prepare the minds of the people without shock or surprise, for the important event already anticipated by most of those whose situation enabled them to look forward, a manifesto was prepared, in the composition of which, we have the authority of a cotemporary for saying, Mr. Morris took an active part. This paper is drawn up with considerable art; and while it was well calculated to excite the spirit of the whigs, could not be taken as offensive by the tories. It was in the following words:

“Whereas it has been represented to this congress, that divers honest and well meaning, but uninformed people in these colonies have, by the art and address of ministerial agents, been deceived and drawn into erroneous opinions respecting the American cause, and the probable issue of the present contest;

“Resolved, That it be recommended to the different committees, and other friends to American liberty, in the said colonies, to treat all such persons with kindness and attention; to consider them as the inhabitants of a country determined to be free, and to view their errors as proceeding rather from want of information than want of virtue or public spirit; to explain to them the origin, nature and extent of the present controversy; to acquaint them with the fate of the numerous petitions presented to his majesty, as well by assemblies as congresses, for re-

conciliation and redress of grievances; and that the last from this congress, humbly requesting the single favour of being heard, like all the others, has proved unsuccessful; to unfold to them the various arts of administration to ensnare and enslave us, and the manner in which we have been cruelly driven to defend, by arms, those very rights, liberties and estates, which we and our forefathers had so long enjoyed unmolested in the reigns of his present majesty's predecessors. And it is hereby recommended to all conventions and assemblies in these colonies liberally to distribute among the people the proceedings of this and the former congress, the late speeches of the great patriots in both houses of parliament relative to American grievances, and such other pamphlets and papers as tend to elucidate the merits of the American cause, the congress being fully persuaded that the more our right to the enjoyment of our ancient liberties and privileges is examined, the more just and necessary our present opposition to ministerial tyranny will appear.

“And with respect to all such unworthy Americans as, regardless of their duty to their Creator, their country and their posterity, have taken part with our oppressors, and, influenced by the hope or possession of ignominious rewards, strive to recommend themselves to the bounty of administration, by misrepresenting and traducing the conduct and principles of the friends of American liberty, and opposing every measure formed for its preservation and security,

“Resolved, That it be recommended to the different assemblies, conventions and committees or councils of safety in the united colonies, by the most speedy and effectual measures to frustrate the mischievous machinations, and restrain the wicked practices of these men: and it is the opinion of this congress, that they ought to be disarmed, and the more dangerous among them either kept in safe custody, or bound with sufficient sureties to their good behaviour.

“And in order that the said assemblies, conventions, committees or councils of safety may be enabled with greater ease and facility to carry this resolution into execution,

“Resolved, That they be authorized to call to their aid whatever continental troops, stationed in or near their respective colonies, may be conveniently spared from their more immediate duty; and the commanding officers of such troops are hereby directed to afford the said assemblies, conventions, committees or councils of safety all such assistance in executing this resolution, as they may require, and which, consistent with the good of the service, may be supplied.

“Resolved, That all detachments of continental troops, which may be ordered on the business in the foregoing resolution mentioned, be, while so employed, under the direction and control of the assemblies, conventions, committees or councils of safety aforesaid.

“Resolved, That it be recommended to all the united colonies, to aid each other (on request from their respective assemblies, conventions, committees, or councils of safety and county committees) on every emergency, and to cultivate, cherish and increase the present happy and necessary union, by a continual interchange of mutual good offices.

“And whereas the execrable barbarity, with which this unhappy war has been conducted on the part of our enemies, such as burning our defenceless towns and villages, exposing their inhabitants, without regard to sex or age, to all the misery which loss of property, the rigor of the season, and inhuman devastation can inflict, exciting domestic insurrections and murders, bribing savages to desolate our frontiers, and casting such of us as the fortune of war has put in their power, into goals, there to languish in irons and in want, compelling the inhabitants of Boston, in violation of the treaty, to remain confined within the town, exposed to the insolence of the soldiery, and other enormities, at the mention of which decency and humanity will ever blush, may justly provoke the inhabitants of these colonies to retaliate,

“Resolved, That it be recommended to them to continue mindful that humanity ought to distinguish the brave, that cruelty should find no admission among a free people, and to take care that no page in the annals of America be stained by a recital of any action which justice or christianity may condemn, and to rest assured that whenever retaliation may be neces-

sary or tend to their security, this Congress will undertake the disagreeable task."

In most of the colonies, the progress was slow, and through much hesitation, to an open and decided wish for independence; and no where did the unwillingness to part with all connexion with Great Britain more gradually disappear than in New York.

Lewis Morris was, very early, a determined advocate of independence; but the people in general of this province, and particularly of the city, did not agree with him in this sentiment.

The intercourse had been particularly close and intimate between those people and the officers of the royal government. A considerable number of troops had usually been stationed at New York, and the officers had rendered themselves acceptable guests to the inhabitants, by adding greatly to the cheerfulness and bustle of the place; besides forming intimacies, and in some instances, connexions, with the families of the citizens.

Even subsequent to the commencement of hostilities, this intercourse had continued with only a partial interruption.—And so late as the middle of March, 1776, governor Tryon, although he had been obliged to betake himself to one of the British armed vessels in the harbour, still was enabled to disseminate his insinuating addresses throughout the city and colony, and by means of them to retain great influence over the public mind.

In one of those addresses, he told them, that “ notwithstanding prejudice, delusion and faction had, among too many, usurped the seat of reason and reflection, and every exhortation he had offered to the inhabitants of this province, in whose affection he had been taught to be happy, had been reviled and treated with neglect, yet as his wishes for their prosperity and feelings for their calamities, cannot easily be suppressed even towards the disobedient, he cannot but repeat his endeavours to recal those who had revolted from their allegiance to a sense of their duty, and to comfort those who have been the objects of oppression, for their zealous attachment to our happy constitution, and their steady obedience to the sovereignty of the British empire.”

“ It is in the clemency and authority of Great Britain only,” he continued, “ that we can look for happiness, peace and protection, and I have it in command from the king to encourage, by every means in my power, the expectations in his majesty’s well disposed subjects in this government of every assistance and protection the state of Great Britain will enable his majesty to afford them, and to crush every appearance of a disposition on their part to withstand the tyranny and misrule which accompany the acts of those who have but too well hitherto succeeded in the total subversion of legal government. Under such assurances, therefore, I exhort all the friends to good order, and our justly admired constitution, still to preserve that constancy of mind, which is inherent

in the breasts of virtuous and loyal citizens, and I trust a very few months will relieve them from their present oppressed, injured and insulted condition.

“England, Scotland, Ireland and Wales, have united to place their whole strength, power, and confidence in his majesty’s hands. The numerous addresses, from all parts of the king’s dominions in Europe, speak the loyalty and zeal with which his subjects there engage to support his majesty in asserting and maintaining the just sovereignty of the British empire over all its members.

“The British state moves not but by sudden and violent sallies, nor wantonly oppresses; she has lenity for her basis, and is distinguished for moderation and forbearance; but when her just indignation is roused, the experience of other nations can testify her weight and force. It cannot be sufficiently lamented, that the conduct of this country has called for so severe a rod; may a timely and dutiful submission avert its stroke.

“I have the satisfaction to inform you that a door is still open to such honest, but deluded people, as will avail themselves of the justice and benevolence, which the supreme legislature has held out to them of being restored to the king’s grace and peace, and that proper steps have been taken for passing a commission for that purpose, under the great seal of Great Britain, in conformity to a provision in a late act of parliament, the commissioners thereby to be appointed, having also power to inquire into the state and condi-

tion of the colonies for effecting a restoration of the public tranquillity.”

It was by the instrumentality of blandishments like this, the people of New York—at least a very large number of them—were kept from so hearty a co-operation in the great struggle, as they would otherwise have given.

Lewis Morris, with other patriotic gentlemen, exerted themselves zealously and industriously in the effort to rouse a better feeling, and to discourage and prevent all communication with the fleet. By the influence thus employed, the ‘committee of safety’ were induced, on the eighteenth of April, to prohibit, under pain of the severest penalties, any intercourse, direct or indirect, personal or in writing, with the royal ships. This ordinance, however, was not very rigidly obeyed or enforced; and when general Washington came to establish head-quarters at New York, he found that governor Tryon was a more formidable adversary, by the use of letters, proclamations, and conciliatory addresses, than general Gage had been, with all his well appointed army. The commander in chief was, therefore, impelled to add the authority of a proclamation from himself, threatening the punishment of treason upon all such as should be found violating the regulation in this respect.

“Whereas,” said his excellency, “an intercourse and correspondence with the ships of war, and other vessels belonging to and in the service of the king of Great Britain, is highly detrimental to the rights and

liberties of the said colonies"—“and there is reason to believe that sundry base and wicked persons, preferring their own present private emolument to their country's weal, have continued to carry on the same, particularly some who under pretence of coming to the market of this city by water, have put themselves, their vessels and effects in the way of the said ships of war, for the purposes of giving intelligence and furnishing them with supplies of provision, and have been taken: To the end that such evil and pernicious practices may be remedied and prevented in future, I hereby publish and declare, that if any person or persons shall hereafter presume to have, hold, or continue to carry on such intercourse, or any kind of correspondence whatsoever, or furnish and supply the said ships of war, and other vessels in such service, with provisions and necessaries of any kind, that he or they, so offending, will be deemed and considered as an enemy or enemies to the rights of the said colonies, and if apprehended will be treated accordingly.

“And I do hereby will and require all officers and soldiers in the army under my command, and most earnestly entreat all persons well attached to the interest of the said colonies, to use their utmost care and diligence for preventing the same, and apprehending and securing all persons who shall be guilty thereof.”

It is believed that the reluctance to break off all communication with the officers of the royal government, was not confined to such persons as this pro-

clamation particularly points out. The provincial congress were by no means prepared for decisive measures. That this backwardness existed, and was fairly imputed to that body, is in part established by the cold and discouraging reply which was given to a very well meant, though awkward proposal, made at about this time by a committee of mechanics of the city of New York.

The address is characterized by a strange departure from the simple, pathetic and nervous eloquence which marks almost all the public papers of this period; but is indicative of a spirit that deserved a more encouraging reception than it seems to have received. It was entitled "The humble address of the general committee of mechanics in union, of the city and county of New York, in behalf of themselves and their constituents," and was thus expressed: "We, as a part of your constituents, and devoted friends to our bleeding country, beg leave in a dutiful manner at this time to approach unto you, our representatives, and request your kind attention to this our humble address.

"When we cast a glance upon our beloved continent, where fair freedom, civil and religious, we have long enjoyed, whose fruitful fields have made the world glad, and whose trade has filled with plenty of all things, sorrow fills our hearts to behold her now struggling under the heavy load of oppression, tyranny and death; but when we extend our sight a little farther, and view the iron hand that is lifted up against

us, behold it is our king, he who by his oath and station is bound to support and defend us in the quiet enjoyment of all our glorious rights as freemen, and whose dominions have been supported and made rich by our commerce, shall we any longer sit silent, and contentedly continue the subjects of such a prince, who is deaf to our petitions for interposing his royal authority in our behalf, and for redressing our grievances, but, on the contrary, seems to take pleasure in our destruction. When we see that one whole year is not enough to satisfy the rage of a cruel ministry, in burning our towns, seizing our vessels, and murdering our precious sons of liberty; making weeping widows for the loss of those who were dearer to them than life, and helpless orphans to bemoan the death of an affectionate father; but who are still carrying on the same bloody pursuit, and for no other reason than this, that we will not become their slaves, and be taxed by them without our consent.

“ Therefore, as we would rather choose to separate from, than to continue any longer in connexion with such oppressors, we, the committee of mechanics in union, do, for ourselves and our constituents, hereby publicly declare, that should you, gentlemen of our honourable provincial congress, think proper to instruct our most honourable delegates in continental congress, to use their utmost endeavours in that august assembly to cause these united colonies to become independent of Great Britain, it would give us the highest satisfaction, and we hereby sincerely promise

to endeavour to support the same with our lives and fortunes."

To this address the provincial congress, on the fourth of June, returned a very cold and reserved reply, instead of taking advantage of the occasion, as they might have done, to express their approbation of the intended declaration of independence, as to which nearly all the colonies, except Pennsylvania and Maryland, had already signified their concurrence and pledged their support.

"We consider," says the answer of the provincial congress, "the mechanics in union as a voluntary association of a number of the inhabitants of this city, who are warmly attached to the cause of liberty. We flatter ourselves, however, that neither that association, nor their committee, claim any authority whatsoever in the public transactions of the present times; but that, on the contrary, they will ever be ready to submit to that constitutional authority, which, by a free election, has been vested in congress and committees. This congress is at all times ready and willing to attend to every request of their constituents, or of any part of them. We are of opinion, that the continental congress alone have that enlarged view of our political circumstances, which will enable them to decide upon those measures which are necessary for the general welfare. We therefore cannot presume to instruct the delegates of this colony on the momentous question to which your address refers, until we are informed that it is brought before the

continental congress, and the sense of this colony be required through this congress."

In addition to this evidence of excessive prudence on the part of this provincial Congress, the newspapers of the period contain letters stating that independence had few advocates in that assembly. The cannon of general Howe, nevertheless, soon after proved a sufficient antidote to the poison of governor Tryon's pernicious sophistry.

The "ministerial" fleet, as it was called even then by many persons who were quite ready to oppose it as such, but not yet reconciled to the idea of open hostility against the king, arrived at Sandy Hook while Congress were debating the proposition introduced by Mr. Lee to issue a declaration of independence.

The danger that impended over New York, the prospect of such a scene of destruction as Falmouth and some other towns had already exhibited, or even the anticipation of a dilapidation like that which Boston had suffered from the occupation of the royal army, might have supplied a fair excuse for Mr. Morris, if he had desired to impede the adoption of the resolution, or had chosen to evade responsibility by absenting himself from the hall of Congress. But, if he had an estate to be devastated and destroyed by the spite of the British troops, he had also a character for consistency to preserve, which he valued much more highly; and he had also a sincere, high minded love of liberty and justice, which would not permit him to hesitate, if

pride of reputation had been out of the question, between the safety of his individual property and the honour of his country.

In voting for the declaration of independence, and putting his name to the instrument, at the very time when a large British army had landed within a few miles of his estate, and their armed ships were lying within cannon shot of the dwelling of his family, he felt and knew that he was devoting his fine farm and mansion, and valuable timber to the special vengeance of the British commanders, and therefore to the unrestrained devastations of the soldiery; but he had higher aims than the preservation of his own property; motives of action in which self interest formed no part.

Although the colony of New York had been backward in agreeing to the proposed attempt to establish a government independent of the mother country, yet finding such a step had been taken with the concurrence of nearly all the other colonies, the people of this one immediately pronounced their acquiescence and pledged their support. The convention assembled at White Plains, resolved unanimously on the ninth day of July, that "the reasons assigned by the continental Congress for declaring the united colonies independent states, were cogent and conclusive, and that while they lamented the cruel necessity which rendered that measure unavoidable, they approved of the same, and would at the risk of their

lives and fortunes join with the other colonies in supporting it."

The delegates from that colony, who had ventured in anticipation of this sanction, to vote for the declaration, had thus the gratification to learn that their conduct was not disapproved at home.

The operations of the hostile armies, very shortly afterwards placed Morrisania, as had been expected, in the power of the enemy; who did not spare the property of one that had just been affixing his name to a public renunciation and defiance of the king's authority.

His fine woodland of upwards of a thousand acres, all upon navigable water, and within a few miles of the capital—of a value not easily measured, but evidently worth an immense price—was totally laid bare and given up to plunder and conflagration. His house, from which his family were obliged to retreat, was spoiled and injured—his fences burnt or prostrated—his stock driven off, his domestics and tenants dispersed, and his whole estate laid waste and ruined, as much as was within the power and opportunity of the British forces.

During the interval between this period and the evacuation of New York in the autumn of 1783, Mr. Morris and his family suffered great inconvenience from being thus cut off from their residence and their means of support. He was obliged in consequence to make many sacrifices, which caused him to return to the possession of his estates, impoverished

far beyond the mere loss of his woods, his stock, and his fences.

The spirit with which he had met the difficulties of the contest, and which sustained him under the pressure of these misfortunes, was shared equally by his family, who did not regret the loss of their comforts or the enjoyments to be purchased by wealth, knowing for what cause their father subjected them to such privations.

His three eldest sons had taken up arms, and exerted themselves as faithfully for their country, in the field, as their father did in council.

Of these the eldest, Lewis, commenced his military career as aid-de-camp to general Sullivan, with the rank of major. He served in that arduous campaign which terminated in the defeat of the Indians, and their expulsion from the northern and western parts of the state of New York. He afterwards accepted general Greene's invitation to enter his family as aid, and distinguished himself in all the brilliant campaigns of that most active and enterprising commander, in the Carolinas. When the persevering valour of the forces under general Greene's command had finally delivered that portion of the union from the horrors of a protracted and cruel war, major Morris received the thanks of Congress and the commission of colonel, as a testimonial of their exalted sense of his services.

The second son, Jacob, had been educated for a merchant, at Philadelphia, but impelled by the same patriotic ardour, he offered his services to congress,

and was appointed aid-de-camp to general Charles Lee, with whom he went to the south, and had an opportunity to shew his bravery at the gallant defence of fort Moultrie, and in many subsequent actions.

The third, whose name was William, was very young, but being tall enough for a soldier, he entered the corps of artillery as a lieutenant, and served with reputation to the close of the war.

Mr. Morris relinquished his seat in Congress to his half brother, Gouverneur, who was elected in his stead early in the year 1777, on which occasion the convention passed a resolution of thanks to him and his colleagues, "for their long and faithful services rendered to the colony of New York and the said state."

After this time, New York being in a greater or less degree the seat of war, he remained within the state, serving as a member of the legislature and an officer of the militia. In the legislature his high character, undaunted spirit and untiring zeal, were of the most important value to the cause of independence, which still, for some years of difficulty and bloodshed, was suspended in doubtful prospect. As an officer of the militia he rose to the rank of a major general, and contributed essentially to the effective organization and equipment of the militia of New York.

He lived to see peace restored to his country, her independence acknowledged, and her prosperity

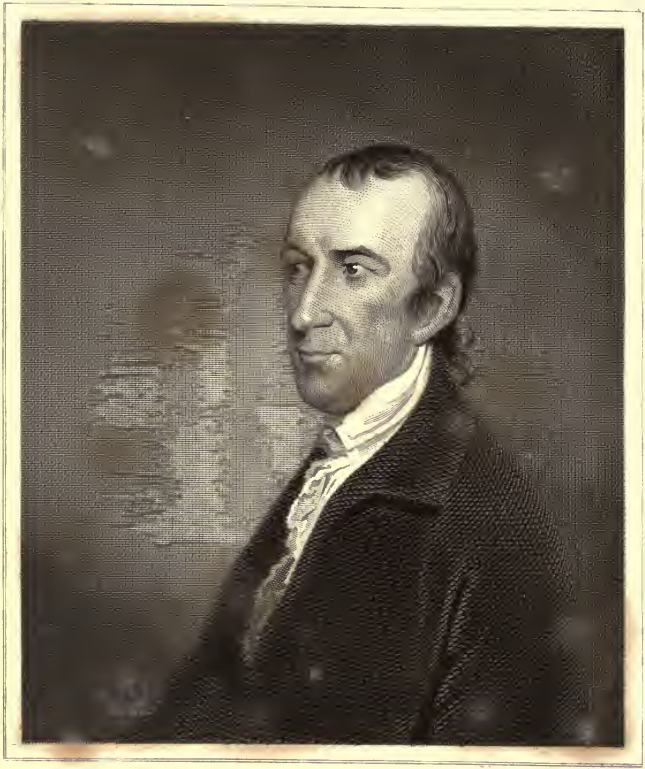
placed on the firmest basis, and secured by the wisest political constitution that has ever yet been framed.

The latter part of his life was passed at Morrisania, the elegant seat of his ancestors, when turning his sword again into a scythe, he resumed the practice of agriculture, and in the delightful retirement of his farm, he met the advances of old age with serenity and happiness.—Of his numerous offspring one only, the eldest son, preceded him to the tomb, the rest he had the satisfaction to see respectably settled in life and supporting the high character of the family.

He died in January, 1798, in the seventy-second year of his age, and his remains were interred with military and civic honours, in the family vault at Morrisania.







THOMAS STONE.

Drawn by J.B. Longacre from a Painting by Huet Engraved by G.B. Ellis

STONE.

THE patriots of the revolution, notwithstanding the greatness of their deeds, were, in general, men of exceeding modesty. Among those whose names are secured an immortal recollection, by being affixed to the great charter of our liberties, several are now distinguishable from their colleagues by little that is individual and peculiar, either in character or conduct.

Drawn forth from the privacy of domestic life by the same public emergency, and moving with a unanimity that prevented any one from standing out conspicuously from the rest, the diversity of individual character was but faintly discernible. There could scarcely be any leaders where all were equally ready to go forward; and in an assembly so harmonious in their views as the first Congress, the characteristics peculiar to each member were not easily to be gathered from his votes.

It has happened, in respect to a few of those illustrious men, that retiring when their noble task was performed, into the shade of private life, they soon became overlooked and forgotten by their compeers,

whose earnest attention was engrossed with the consideration of the fearful events that were occurring near them, and in which were involved their own safety, property and freedom, as well as the honour and interests of their country.

In such instances, the immediate friends have usually cherished the recollection of all the peculiarities in disposition or fortune that are ascribable to the retiring and modest patriot; and however barren of incident his life may have been, there is still something to be gathered with which a natural and rational curiosity may be gratified.

But it has happened, with respect to THOMAS STONE, that since his death, which occurred nearly forty years since, so many changes have taken place among his relatives and immediate friends, that there is no one able, or willing, to describe his particular habits, virtues or achievements, or to testify the incidents of his short and unambitious life.

It is known, however, that he was born at Pointon Manor, in Maryland, in the year 1743; and was educated for the profession of the law, the practice of which he commenced with good prospects of success, and with the reputation of talents and industry.

The excitement produced by the stamp act was shared by him to a degree proportioned to the ardent temperament of youth, and though too young at that time to take any part in public affairs, his political principles were fixed by the discussions to which he was then a listener, and the strong feeling of indig-

nation against the British ministry which he then imbibed.

It was not, however, until after the Boston port bill and the other aggressions of the year 1774, that Mr. Stone came prominently forward into public life.

He was not a member of the congress of that year, but was added, along with Robert Goldsborough, to the delegation of Maryland, by a vote of the provincial deputies on the eighth of December, 1774, and took his seat accordingly on the fifteenth of the following May.

The powers with which these delegates were invested seemed sufficiently ample, they being authorized to consent and agree to all measures which that congress might deem necessary and effectual to obtain a redress of American grievances; and it was declared in the resolution appointing them, that the province bound itself to execute to the utmost of its power, all resolutions which the congress might adopt.

Mr. Stone attended punctually the meetings of the congress, and gave his time and attention faithfully to the duties of his post. In July, 1775, he was re-elected, as were his colleagues, for one year further.

Although this was subsequent to the actual commencement of hostilities, the battle of Bunker's Hill, and the appointment of a commander in chief, yet the thought of independence had not yet become at all palatable in Maryland; and the provincial conference did not suppose, when they made this appointment,

that their chosen delegates would suffer themselves to be carried away by what was then deemed so extravagant an enthusiasm, as to vote for such a measure.

Towards the close of the year 1775, however, the question of an entire separation from Great Britain, became the subject of very general discussion, both as to its policy and probability, and it was discovered that the Maryland delegates were much disposed to encounter the risk and venture upon a contest so unequal and even desperate, as it was considered by many of their constituents. Alarmed at this circumstance, the convention determined to restrain them by specific and strict instructions, and the following were accordingly prepared, and received the sanction of the convention, whose sentiments they well represent.

“The convention, taking into their most serious consideration the present state of the unhappy dispute between Great Britain and the united colonies, think it proper to deliver you their sentiments, and to instruct you in certain points, relative to your conduct in congress, as representatives of this province.

“The experience we and our ancestors have had of the mildness and equity of the English constitution, under which we have grown up to and enjoyed a state of felicity, not exceeded among any people we know of, until the grounds of the present controversy were laid by the ministry and parliament of Great Britain, has most strongly endeared to us that form of government from whence these blessings have been derived,

and makes us ardently wish for a reconciliation with the mother country, upon terms that may ensure to these colonies an equal and permanent freedom.

“To this constitution we are attached, not merely by habit, but by principle, being in our judgments persuaded, it is, of all known systems, best calculated to secure the liberty of the subject, to guard against despotism on the one hand, and licentiousness on the other.

“Impressed with these sentiments, we warmly recommend to you, to keep constantly in your view the avowed end and purpose for which these colonies originally associated, The redress of American grievances, and securing the rights of the colonists.

“As upon the attainment of these great objects, we shall think it our greatest happiness to be thus firmly united to Great Britain, we think proper to instruct you, that should any proposition be happily made by the crown or parliament, that may lead to or lay a rational and probable ground for reconciliation, you use your utmost endeavours to cultivate and improve it into a happy settlement and lasting amity, taking care to secure the colonies against the exercise of the right assumed by parliament to tax them, and to alter and change their charters, constitutions, and internal polity, without their consent, powers incompatible with the essential securities of the lives, liberties, and properties of the colonists.

“We farther instruct you, that you do not without the previous knowledge and approbation of the con-

vention of this province, assent to any proposition to declare these colonies independent of the crown of Great Britain, nor to any proposition for making or entering into alliance with any foreign power, nor to any union or confederation of these colonies, which may necessarily lead to a separation from the mother country, unless in your judgments, or in the judgments of any four of you, or of a majority of the whole of you, if all shall be then attending in congress, it shall be thought absolutely necessary for the preservation of the liberties of the united colonies; and should a majority of the colonies in congress against such your judgment, resolve to declare these colonies independent of the crown of Great Britain, or to make or enter into alliance with any foreign power, or into any union or confederation of these colonies, which may necessarily lead to a separation from the mother country, then we instruct you immediately to call the convention of this province, and repair thereto with such proposition and resolve, and lay the same before the said convention, for their consideration, and this convention will not hold this province bound by such majority in congress, until the representative body of the province in convention assent thereto.

“Desirous as we are of peace with Great Britain upon safe and honourable terms, we wish you nevertheless, and instruct you, to join with the other colonies, in such military operations as may be judged

proper and necessary for the common defence, until such a peace can be happily obtained.

“ At the same time that we assure you we have an entire confidence in your abilities and integrity in the discharge of the great trust reposed in you, we must observe to you as our opinion, that in the relation of constituent and representative, one principal security of the former is the right he holds to be fully informed of the conduct of the latter. We can conceive no case to exist in which it would be of more importance to exercise this right than the present, nor any in which we can suppose the representative would more willingly acquiesce in the exercise of it. We therefore instruct you, that you move for and endeavour to obtain a resolve of congress, that the votes given by the colonies on every question agitated in congress, shall appear upon the journals thereof; and if such resolve be obtained, that you, at the expense of this province, procure copies of the said journals, except such parts thereof as relate to military operations, and measures taken to procure arms and ammunition, and from time to time lay the same before the conventions of this province, shewing the part you, as representatives of this province, take in such questions.

“ And we farther instruct you to move for, and endeavour to obtain a resolve of congress, that no person who holds any military command in the continental, or any provincial regular forces, or marine service, nor any person who holds or enjoys any office

of profit under the continental congress, or under any government assumed since the present controversy with Great Britain began, or which shall hereafter be assumed, or who directly or indirectly receives the profits, or any part of the profits of such command or office, shall, during the time of his holding or receiving the same, be eligible to sit in congress."

Between the date of these instructions and the middle of the ensuing May, great efforts were made to induce the convention to assent to the scheme of independence; but the professions of loyalty previously made in this colony, were perfectly sincere, and the attachment to the royal government was so strong, that the instructions, instead of being rescinded, were reiterated on the twenty-first of May, in the most emphatic terms.

The delegates in congress were upon that occasion re-elected—not unanimously—until the end of the next session of the convention; but it was at the same time unanimously resolved, "That as this convention is firmly persuaded that a reunion with Great Britain, on constitutional principles, would most effectually secure the rights and liberties, and increase the strength, and promote the happiness of the whole empire, objects which this province hath ever had in view, the said deputies are bound and directed to govern themselves by the instructions given to them by this convention in its session of December last, in the same manner as if the said instructions were particularly repeated."

At the moment when these cautious instructions were adopted by the Maryland convention, the continental congress were, in effect, proclaiming an independent government. The resolution of the fifteenth of May, averring that all authority of the crown had ceased, and that it was necessary for each colony to frame a constitution of government for itself, could not be construed to signify much less than independence.

Mr. Stone concurred with his colleagues, in approving of this bold and important step, and used his most earnest endeavours to procure the adoption, by the province of Maryland, of a form of civil government similar to those already agreed upon by some of the other colonies, and based exclusively on the authority of the people.

The question of independence at this time engrossed general attention, and by whatever causes it may have been aided, certainly the disposition to hazard the daring, but glorious scheme, rapidly increased.

In the latter end of June, the example of Virginia on the one hand, and of Pennsylvania on the other, proved irresistible, and Maryland was obliged to recall her instructions, and agree to the assertion of a free and independent government.

The convention accordingly—though with manifest reluctance,—resolved, “that the instructions given to their deputies be recalled, and the restrictions therein contained, removed; and that the deputies of said colony, or any three or more of them, be author-

ized and impowered to concur with the other united colonies, or a majority of them, in declaring the united colonies free and independent states; in forming such further compact and confederation between them; in making foreign alliances, and in adopting such other measures as shall be adjudged necessary for securing the liberties of America; and that said colony will hold itself bound by the resolutions of the majority of the united colonies in the premises; provided the sole and exclusive right of regulating the internal government and police of that colony be reserved to the people thereof."

The Maryland delegates, after this, being left free to vote according to their wishes, recorded their names in favour of independence, upon the imperishable document which in eloquent language sets forth the "reasons that impelled them to the separation."

On the day which saw this proud manifesto issued, Mr. Stone and his colleagues were re-elected, and in the ardour of feeling at that moment prevalent, the convention forgot to limit their powers by any prudential restraints. Mr. Stone, though not a prominent man in Congress, was appointed on several important committees,—such as that to consider the propriety and expediency of augmenting the flying camp; that on the miscarriages in Canada; on certain letters from general Washington; and, the most laborious of all, namely that charged with the difficult task of preparing a plan of confederation.

There never was perhaps an undertaking of greater difficulty than the formation of the confederacy at that period. Entire harmony, was at all sacrifices, to be preserved as essential to the possibility of success in the great contest ; yet a diversity of sentiments almost boundless, prevailed among the representatives of different interests respecting the details of the intended compact.

The peculiar responsibility of Mr. Stone, in being the only Maryland delegate in the committee, and the sentiments of Maryland being particularly hostile to the measure, unless with conditions that it was found impossible to obtain from the other states, may easily be appreciated.

The anxiety and trouble occasioned to all, and especially to the committee which had the laborious work of preparation, are strongly portrayed in the letter addressed by congress to the respective states, in order to urge the adoption of the plan, as they had, after infinite compromises, finally arranged the articles.

“This business,” they observe, “equally intricate and important, has, in its progress, been attended with uncommon embarrassments and delay, which the most anxious solicitude and persevering diligence could not prevent. To form a permanent union, accommodated to the opinion and wishes of the delegates of so many states, differing in habits, produce, commerce, and internal police, was found to be a work which

nothing but time and reflection, conspiring with a disposition to conciliate, could mature and accomplish.

“ Hardly is it to be expected that any plan, in the variety of provisions essential to our union, should exactly correspond with the maxims and political views of every particular state. Let it be remarked, that after the most careful inquiry and the fullest information, this is proposed as the best which could be adapted to the circumstances of all; and as that alone which affords any tolerable prospect of general ratification.

“ Permit us then earnestly to recommend these articles to the immediate and dispassionate attention of the legislatures of the respective states. Let them be candidly reviewed under a sense of the difficulty of combining in one general system the various sentiments and interests of a continent divided into so many sovereign and independent communities, under a conviction of the absolute necessity of uniting all our councils and all our strength to maintain and defend our common liberties: let them be examined with a liberality becoming brethren and fellow citizens surrounded by the same imminent dangers, contending for the same illustrious prize, and deeply interested in being forever bound and connected together by ties the most intimate and indissoluble; and, finally, let them be adjusted with the temper and magnanimity of wise and patriotic legislators, who, while they are concerned for the prosperity of their own more immediate circle, are capable of rising superior

to local attachments, when they may be incompatible with the safety, happiness, and glory of the general confederacy.

“We have reason to regret the time which has elapsed in preparing this plan for consideration : with additional solicitude we look forward to that which must be necessarily spent before it can be ratified. Every motive loudly calls upon us to hasten its conclusion.

“More than any other consideration, it will confound our foreign enemies, defeat the flagitious practices of the disaffected, strengthen and confirm our friends, support our public credit, restore the value of our money, enable us to maintain our fleets and armies, and add weight and respect to our councils at home and to our treaties abroad.

“In short, this salutary measure can no longer be deferred. It seems essential to our very existence as a free people, and without it we may soon be constrained to bid adieu to independence, to liberty, and safety—blessings, which from the justice of our cause, and the favour of our Almighty Creator, visibly manifested in our protection, we have reason to expect, if, in an humble dependence on his divine providence, we strenuously exert the means which are placed in our power.”

Notwithstanding the eloquence of this appeal, the state of Maryland refused her assent until the year 1781.

But, to recur to the labours of Mr. Stone and the rest of the committee, it is remarkable that from the twelfth day of June, 1776, when the committee was selected, consisting of one member from each colony, till the fifteenth day of November, 1777, when the confederation was finally agreed to, the committee were almost constantly occupied in preparing, amending and improving the act which was reported, and referred back again very frequently, and always altered to suit the views of congress, and obviate objections. It was the subject of debate thirty-nine times, and when concluded, after all this labour, was only an approximation towards the excellent constitution which was framed ten years afterwards.

The convention of the state of Maryland, when the emphasis of the excitement caused by the declaration of independence had passed away, recurred to their former jealousy of their delegates in congress; and although it was too late now to restrict them as to measures of hostility towards Great Britain, yet chose to limit their powers as to the formation of a confederation, and also to hint to them the possibility of retracing their steps, and agreeing to an accommodation with the royal government.

The contest for freedom had now gone so far, that it was frequently called a "glorious war"—the Maryland convention still termed it an "unhappy difference," and were anxious to accommodate it on *any terms*, that a majority of congress might be brought to approve.

The resolution which indicated this state of feeling was in the following terms: "That the said delegates [Mr. Stone and his six colleagues] or any *three* or more of them, be authorized and empowered to concur with the other United States, or a majority of them in forming a confederation, and in making foreign alliances; provided that such confederation when formed be not binding upon this state without the assent of the general assembly; and the said delegates or any three or more of them are also authorized and empowered to concur in any measures which may be resolved on by congress for carrying on the war with Great Britain, and securing the liberties of the United States, reserving always to this state the sole and exclusive right of regulating the internal police thereof. And the said delegates or any three or more of them are hereby authorized and empowered, notwithstanding any measure heretofore taken, to concur with the congress or a majority of them, in accommodating our unhappy difference with Great Britain, on such terms as the congress or a majority of them shall think proper."

It happened, however, that no accommodation of the "unhappy difference" was made, at all inconsistent with the highest claims of congress. The fears of the Maryland convention were not realized, though it must be confessed, the affairs of the newly established nation wore, for some time, a most discouraging aspect.

Mr. Stone was again re-elected in February, 1777, and after serving this tour of duty, and seeing the confederation finally agreed upon in congress, he left this scene of action, declined a re-appointment, and became a member of the Maryland legislature, where the plan of the confederation met with obstinate opposition, and required the aid of all its friends and advocates.

His services in the legislature were important, and in the discharge of his duties there he was distinguished by the same fidelity, earnestness, and patriotic devotedness, which had been displayed in the course of his previous career.

In 1783, he was again elected to a seat in congress, under the confederation, the adoption of which he had taken so much pains to obtain. He was present at the most interesting event of this period—the resignation of general Washington, at Annapolis; and in the session of 1784, was appointed on most of the important committees of the congress.

During the latter part of this year, he acted as president *pro tempore*, but declining a re-election to congress, he lost, by voluntary retirement, the honour of being chosen to preside over that dignified assembly, which it is presumable would have followed, of course, his temporary occupation of the chair.

From this time, and during the short interval before his death, he was actively engaged in professional duties, at his residence at Port Tobacco, and declined an appointment as a member of the federal conven-

tion, which met at Philadelphia in the year 1787, for the purpose of forming the present constitution of the United States.

In the autumn of the same year he died, at the early age of forty three years.

It may be added to this brief sketch, that he was lineally descended from William Stone, the governor of Maryland during the reign of Oliver Cromwell as protector. He received an excellent classical education under the tuition of a Scotch gentleman, who lived in Charles County, near his father's residence, and pursued his professional studies under the superintendence of the distinguished Thomas Johnson, at Annapolis, where he commenced his practice as a lawyer.

He died sincerely lamented by a large circle of friends, and left the reputation of a disinterested patriot, a useful citizen, a good lawyer, and a worthy man.

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FRS : LIGHTFOOT LEE.

FRANCIS LIGHTFOOT LEE.

FRANCIS LIGHTFOOT LEE was born on the fourteenth day of October, 1734. He was the fourth son of Thomas Lee, for many years president of the king's council under the colonial government of Virginia, and of Hannah Ludwell, sister of colonel Ludwell, a member of the same council. The offspring of this union are particularly celebrated in the annals of their country, for superior talents and usefulness. Philip Ludwell, the oldest son, was a distinguished member of the king's council, and died at the commencement of our revolutionary struggle: Thomas Ludwell, a finished gentleman, and long an useful member of the Virginia assembly, died about the same period: Richard Henry, is universally known as the dauntless champion of freedom: Francis Lightfoot, whose services are the subject of the present sketch, participated largely in the events of the revolution: William was sheriff and alderman of the city of London, and subsequently commercial agent for congress in Europe, and their commissioner at the courts of Berlin and Vienna: Arthur, the youngest son, as a

scholar, a writer, a philosopher, a politician, and a diplomatist, was surpassed by none, and equalled by few, of his contemporaries.—The paternal and maternal ancestors of this eminent family, emigrated at an early period to Virginia, and always filled offices of the first respectability in the province.

It was customary, in those days, among gentlemen of fortune, to procure tutors from Great Britain, to superintend the education of their sons at home. These were generally Scotch clergymen, who had received liberal educations, but whose pecuniary wants compelled them to seek fortune and preferment in distant lands. When the youth had attained a competent knowledge of academic studies under their tuition, they were usually sent to England or Scotland, to complete their education, and qualify themselves for professional lives. The elder sons of the family, having finished the usual course of instruction at home prior to the death of their father, were sent to English colleges; but Francis, being too young, at the period of its occurrence, to leave home, never enjoyed that advantage. His classical and literary acquirements were, therefore, entirely derived from his domestic tutor, a Scotch clergyman of the name of Craig, who, being a man of science, not only made him a good scholar, but gave him an early fondness for reading and mental investigation, which, in a mind so apt and vigorous by nature, prepared him for those scenes of usefulness and honour, in which he was afterwards engaged. This partiality for books

was cherished and aided, in a great measure, by the valuable library collected by his father: in which were to be found the best editions of all the great British writers, in every branch of science, poetry, and belles-lettres.

About the period when Mr. Lee arrived at the state of manhood, his brothers returned from England, bringing with them the polish and refinement of European manners, and minds, not only well-informed; but ardent in the pursuit of intellectual improvement. His ambition was fired at the view, and catching a portion of the zeal which animated them, he endeavoured to equal them in their efforts. Such, in fact, was the soundness of his judgment, the quickness of his imagination, and the sprightliness of his wit and humour, that in a short time, his manners became so engaging, his deportment so easy and agreeable, and his information so various, refined, and select, as to make him the admiration and delight of every society in which he chose to mingle. The independent fortune bequeathed to him by his father precluded the necessity of studying a profession: hence, possessing the refined wit and humour of a Sterne, together with a voice of the most melodious sweetness and power, his outset in life was a round of pleasurable enjoyments. His company was eagerly solicited, and the fair sex vied with his own, in shewing the gratification which his presence every where occasioned.

At that time, the situation of the country was such as to afford a free scope for those enjoyments: it is

not then surprising, that they were attractive, not only to young and gay, but even to more settled tempers. No taxes to oppress; no cares of government to perplex; no strong excitements for the operations of ambition; a new and opening country pouring content and independence into the laps of its inhabitants; their repose never shaken by the din of arms, nor the violence of the highway or midnight robber;—joy was in every face, and hospitality at every door. The cupidity of English ministers, had not yet cast its baneful glance towards them: the fondness of the parent was not yet changed into the bitterness of hatred, and the hand that once fostered, was not yet raised to shed their blood. The storm, however, from a speck, soon began to lower in the horizon, and those, whose wisdom foresaw its approach, were anxiously revolving the means of warding off its violence.

Among the first who anticipated the evils which a rapacious and unprincipled administration was preparing for the colonies, Richard Henry Lee, the elder brother of Mr. Lee, stood forth with a firmness and zeal, which gave animation to all around him. It was impossible to listen to his eloquence, depicting, in the strong language of an indignant patriot, the policy that desired, under the pretence of raising a revenue, to sacrifice the most precious rights of a free people at the shrine of despotism, without feeling the glow of genuine patriotism thrilling through the frame. Attached as he was, to ease and pleasure, Mr. Lee heard and felt these warning counsels, not

only as a brother, but as one in whose breast the love of country was also a prevailing passion. The song, the dance, the convivial party, began to lose their charms, and gradually to yield to the sterner duties of the citizen.

Mr. Lee now offered himself as a candidate for the county of Loudon, in the province of Virginia, where his lands were situated, and took his seat as a member of the house of burgesses, about the year 1765. Although not gifted with the powers of oratory, his good sense, extensive reading, and sound and discriminating judgment, made him an useful member of the house. In this situation he continued until the year 1772, when he married Rebecca, the second daughter of colonel John Tayloe, of the county of Richmond; and his term of service, as representative of the county of Loudon, having expired, he was elected a member for the county of Richmond, in which, after his marriage, he had permanently established his residence.

The situation of the colonies became daily more alarming. The idea of making them, in all things, subservient to the views and interests of the mother country, was more strongly urged on one side, and more firmly and vigorously opposed on the other. Already had those bold and determined men, whose names will ever stand enshrined in the admiration and applause of Americans, stood forth as champions of their country's liberties and rights. A spirit of resistance to British oppression began to manifest itself in every quarter, and measures were planned

and adopted to make that resistance simultaneous and effective. In all these difficult scenes, Mr. Lee and his brothers took an active and decided part.

Mr. Lee filled no other public station than that of a member of the Virginia assembly, previous to the fifteenth of August, 1775, when, upon the resignation of colonel Bland, he was elected a member of the continental congress, by the convention of Virginia. The year 1775 was one of the most eventful of an eventful period, and might emphatically be said to have tried men's souls. It was in that year that American blood first flowed in defence of American liberty; it was in that year the opposition to British tyranny was embodied by the meeting of a continental congress for the purpose of watching the designs of the British ministry, warning their countrymen of their danger, rousing their energies, and preparing for the approaching conflict;—it was in that year that the great father of his country was chosen to take command of its armies;—and that the addresses to their fellow colonists, to the people of Great Britain, to the king, and to the inhabitants of Quebec, conferred an imperishable fame upon those who originated and adopted papers, so full of wisdom, of virtue, of firmness, and love of liberty. The selection of Mr. Lee, at such a period, to represent his country in such a body, affords conclusive evidence of the high opinion entertained of his abilities and public spirit. Nor were the expectations of his countrymen disappointed; for he appears to have so far enjoyed their

confidence, as to have been successively re-elected to that office on the twentieth of June, 1776, twenty-second May, 1777, and twenty-ninth May, 1778.

Although Mr. Lee was not accustomed to public speaking, and from his earliest entrance in life was addicted more to pleasure than business, yet, when duty urged him to exertion, very few surpassed him in depth of thought, strength of argument, and force of conclusion. He was, therefore, appointed to many of the most important committees of congress, and often filled the chair as chairman of the committee of the whole. But it was his proud and justifiable boast both to have supported and signed an act, full of peril, and with many of doubtful propriety, which called at once for all the courage, and all the patriotism of its supporters—the declaration of independence. His brother and colleague, in consequence of instructions from his constituents, which he had, for some time, been strenuously urging them to adopt, was, from his known wishes on the subject, his powers of elocution, and his unshaken love of liberty, selected to move the mighty question in congress. This he is said to have done with all the strength and force of argument, all the arts of persuasion, and all the splendid anticipations of the grandeur and sublimity of the object to be attained, which the subject demanded. There can be little doubt that brothers so closely attached, patriots so disinterested and firm, politicians so clear sighted and well informed, must have mutually assisted each other in the doubtful

conflict; and whilst future generations shall hail the name of Richard Henry Lee, as having first raised his voice in support of our independence, the name of Francis Lightfoot Lee, as his brother, his colleague, and his aid in this great work, will not be forgotten.

Whilst a member of the continental congress, Mr. Lee also assisted in framing the old articles of confederation, which, although subsequently found incompetent to the purposes of union, and to the promotion of the prosperity of a growing people, were nevertheless the cement which at that time bound the states together in one common cause, and finally gave success to their views. So much wisdom, fortitude, justice, and disinterestedness, marked the conduct of congress, that the obedience of the states was voluntarily and cheerfully given to their calls. Indeed, the annals of the world can hardly afford greater proof of pure and honest patriotism, than the whole conduct of the continental congress, at that period, exhibited; nor of a people, whose love of liberty, and estimation of talents and worth, caused them more contentedly to submit to privations, and obey the wishes of those in whom they confided.

During Mr. Lee's term of service, the questions respecting the fisheries, and the navigation of the Mississippi, were also warmly debated in congress. To the people of the northern states, the fisheries were an object of primary importance; and to those of the west, the navigation of the Mississippi was of no less value. The fixed opinion of Mr. Lee was,

that no peace should be made with Great Britain, without both these objects being secured to the United States. Some of the members of the middle and southern states, maintained that they ought not to be made a *sine qua non* of the negociation, but that, if a recognition of our independence could not otherwise be obtained, those points ought to be abandoned. But, on the other hand, it was strongly urged, that rights so important to a great portion of our citizens, should not be relinquished whilst we possessed power to contend for them. These rights were finally secured in the treaty with Great Britain, acknowledging our independence.

Whilst Mr. Lee served in congress, a question was agitated which has given rise to some unjust suggestions of a late writer, respecting the conduct of the "Lees of Virginia," as he styles them, whom he charges as being inimical to general Washington. It is to be lamented that he should have suffered his opinion to be swayed by vulgar prejudice. Had he consulted the journals of congress, he would have seen that the only one of the name, at that time in the house, was the subject of the present sketch; and that he voted for a confirmation of the sentence of the court martial, which suspended general Lee from the service, for improper language used to his commander in chief: in consequence of this, general Lee would never afterwards speak to, nor visit him. Francis Lightfoot Lee is well known to have been uniformly a great admirer of, and strongly attached to, general

Washington, as a virtuous patriot,—a great, a good, and an honest man ; and it is a fact, which evinced this opinion as powerfully as possible, that he was the only one of his family, who always avowed himself a friend of our present system of federal government, principally upon the ground of its having been approved of, and sanctioned, by one he so highly esteemed.

An anecdote is related of Mr. Lee, about that time, which supports our assertion. Being at the county court house, on a court day, just after the federal constitution was published, and was of course the subject of general conversation, many of his countrymen, who held his opinions in high estimation, asked him what he thought of it. He told them, with an air of gravity, that he did not pretend to be a judge of these things now—that he was old, and did not read much—but that there was one thing which satisfied his mind, and that was, “ that General Washington was for it, and John Warden against it.” Mr. Warden was a Scotch-lawyer of considerable celebrity, but known to be unfriendly to American independence : he had just finished an harangue to the people in opposition to the system.

In the spring of 1779, Mr. Lee retired from congress, and returned to the home to which, both his temper and inclination led him, with pleasure and delight. He was not, however, long permitted to enjoy the satisfaction it conferred ; for the internal affairs of his native state were in a situation of so

much agitation and perplexity, that his fellow citizens insisted on his representing them in the senate of Virginia. He carried into that body all the integrity, sound judgment, and love of country, for which he had ever been conspicuous, and his labours there were alike honourable to himself, and useful to the state.

He did not remain long in this situation. His love of ease, and fondness for domestic occupations, now gained the entire ascendancy over him, and he retired from public life with the firm determination of never again engaging in its busy and wearisome scenes: and to this determination he strictly adhered. In this retirement, his character was most conspicuous. He always possessed more of the gay, good humour, and pleasing wit of Atticus, than the sternness of Cato, or the eloquence of Cicero. To the young, the old, the grave, the gay, he was alike a pleasing and interesting companion. None approached him with diffidence; no one left him but with regret. To the poor around him, he was a counsellor, physician, and friend;—to others, his conversation was at once agreeable and instructive, and his life a fine example for imitation. Like the great founder of our republic, he was much attached to agriculture, and retained from his estate, a small farm for experiment and amusement.

Having no children, Mr. Lee lived an easy and a quiet life. Reading, farming, and the company of his friends and relatives, filled up the remaining portion of his days. A pleurisy, caught in one of the coldest winters ever felt in Virginia, terminated the existence

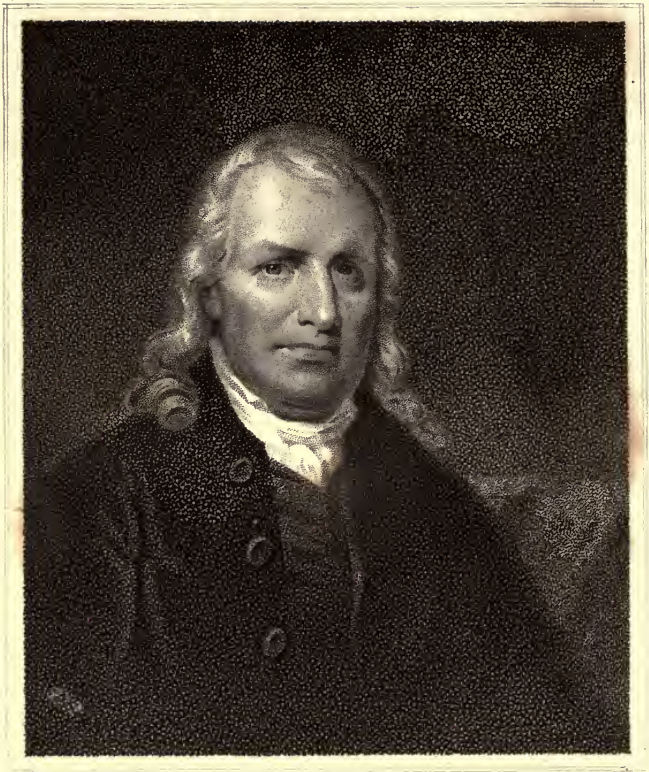
of both his beloved wife and himself, within a few days of each other. His last moments were those of a Christian, a good, an honest, and a virtuous man; and those who witnessed the scene were all ready to exclaim, "Let me die the death of the righteous, and let my last end be like his."

THE HISTORY OF THE STATE OF MASSACHUSETTS
FROM THE FIRST SETTLEMENT TO THE PRESENT TIME
BY SAMUEL CHASE
VOL. II. PART II.

SAMUEL CHASE.







SAMUEL COLCLOUGH.

Engraved from a Drawing by J.B. Longacre after a Painting by Jarvis.

CHASE.

AMONG the patriots of the revolution, none were more actively engaged during its most trying scenes, and few more distinguished in after life, than SAMUEL CHASE.

He was born on the seventeenth of April, 1741, in Somerset county, Maryland, and was the only child of the Reverend Thomas Chase, a very learned clergyman of the protestant episcopal church, who emigrated from England, and married Matilda Walker, the daughter of a respectable farmer.

The Rev. Mr. Chase having lost his wife, and succeeding at nearly the same time to the pastoral charge of St. Paul's parish, in Baltimore, removed with his son to that town in the year 1743.

Baltimore was, at that period, merely a village, and afforded little opportunity for the education of boys; indeed, so lately as nine years afterwards, a schoolmaster seems to have been still a desideratum, for a gazette of that date contains an advertisement, offering good encouragement from the inhabitants, to

any one of "sober character," competent to "teach English, writing and arithmetic."

The Rev. Mr. Chase was, however, perfectly well qualified to instruct his son. He had enjoyed the best advantages which England afforded, and had become not only a scholar of remarkable attainments, but also an enthusiast in classical learning; a proof of which was given in his laborious translation of the poem of Silius Italicus, enriched with copious and learned notes, a work which though bearing the marks of great talent as well as perseverance, yet remains in the hands of his descendants, awaiting sufficient encouragement for its publication.

Under the tuition of a parent so accomplished and so devoted to learning, the young Samuel acquired a degree of erudition uncommon among his compeers; and at the age of eighteen, with the established character of a good scholar, he was sent to Annapolis to commence the study of the law.

Pursuing his studies, in the office of Mr. Thomas Johnson, with the earnestness that marked all his conduct through life, he was admitted to practice in the mayor's court at the early age of twenty, and two years afterwards was licensed for the chancery and some of the county courts.

He chose Annapolis for his permanent residence, and very soon became known as an able, eloquent and fearless lawyer; with the reputation superadded, at least among the more staid and loyal inhabitants,

of being too little inclined to respect and venerate the dignity of the provincial officers.

In after years, he gave abundant proof of extraordinary talent; but his immediate success in starting on his professional career, was perhaps a more equivocal test, since the opportunity for distinction was then such as the present aspirants to forensic fame may not hope to see. The number of practitioners at the Annapolis bar was so small, that if the courts had any occupation at all, the lawyers could not fail, all to have clients. "I qualified," says Mr. Chase, in a letter written long after, "in 1761 in the mayor's court; the bar then consisted of three practitioners, Messrs. William Paca, John Brice, junior, and myself; all of us students of the law under gentlemen of Annapolis, who qualified merely for improvement, without the remotest view of profit."

He very soon married Miss Ann Baldwin, of Annapolis, a lady described, by those who recollect her, as remarkably amiable and intelligent, and who became the mother of two sons and two daughters, all of whom survived their parents.

Advancing continually in his profession, the few years that intervened between his coming to the bar and the commencement of the troubles, were not signalized by any incident, except his marriage, that has been preserved by memory or tradition.

In this interval he became a member of the colonial legislature, and distinguished himself there not only by the vigour of his mind, but by the bold inde-

pendence of his course, and his uncourtly bearing towards the royal governor and the court party.

The most memorable instance of the spirit which already animated him, is perhaps to be found in a vote by which he joined in the enactment of a new regulation on the subject of the compulsory support of the clergy; and by the provisions of which his own father, still rector of St. Paul's, suffered a diminution in his income to the amount of one half. He was the sole heir of his father's property; but neither that consideration, nor the fear of offending the old gentleman, could restrain him from voting against the court party, and in favour of what he thought the rights of the people.

The stamp act, that first step in the career of ministerial folly, was heard of with less emotion, generally, in the southern than in the northern colonies; but every where the intelligence raised a flame of indignation and a spirit of resistance.

In Maryland, a meeting or convention of the "sons of liberty" assembled suddenly at Annapolis, and forcibly opening the public offices, seized and destroyed the stamps; and a band of youthful patriots, designated of course, in the courtly language of the day, as a mob, burnt the effigy of the stamp-distributor, as an emphatic expression of their sentiments.

In both of these exploits, which were the first examples of political mobs, in Maryland, Mr. Chase bore an active and a leading part; in consequence of which he was designated by the mayor and aldermen

of Annapolis, in a publication which formed part of a paper war, carried on soon after between them and the grand jury, as a "busy, restless incendiary, a ringleader of mobs, a foul mouthed and inflaming son of discord and faction, a common disturber of the public tranquillity, and a promoter of the lawless excesses of the multitude."

Such vituperation, from such a source and on such an occasion, he could not but consider a matter of pride, and not at all of shame. Accordingly, in a printed reply, he freely admits his conspicuous agency in the proceedings of the "mob," which he declared was composed of men altogether more respectable than the honourable mayor and aldermen; but he eagerly disclaimed another part of their accusation, which charged him with having, at one time, justified the stamp act.

He assailed these city authorities unmercifully. "Was it a mob," his published letter enquires, "who destroyed in effigy our stamp distributor? was it a mob who assembled here from the different counties of the province and indignantly opened the public offices? Whatever vanity may whisper in your ear, or that pride and arrogance may suggest, which are natural to despicable tools of power, emerged from obscurity and basking in proprietary sunshine, you must confess them to be your superiors, men of reputation and merit who are mentioned with respect, while you are named with contempt, pointed out, and hissed at as 'fruges consumere nati.'"

“I admit, gentlemen,” he said, in another part of this publication, “that I was one of those who committed to the flames, in effigy, the stamp distributor of this province, and who openly disputed the parliamentary right to tax the colonies, while you skulked in your houses, some of you asserting the parliamentary right, and esteeming the stamp act a beneficial law. Others of you meanly grumbled in your corners and not daring to speak out your sentiments.”

This was bold, perhaps saucy, language, for a young man of five and twenty, to apply to the constituted authorities of the town in which he resided; but the same uncompromising temper, apparent in this splenetic effusion, continued to be characteristic of Mr. Chase, up to the latest period of his life.

The immediate occasion of this hostility between him and the corporation, was to be found in his having acted as scribe for the grand jury, when they wanted a complaint against those municipal officers drawn up in proper form and forcible language; the stamp act having been repealed and contentment generally restored, the allusions to the violences that had occurred before its abrogation, were introduced by his enemies with a view to keep up the recollection of transactions which they supposed he would wish should be forgotten.

The calm that followed the repeal of the stamp act was deceitful and transient; very soon the new measures of aggression began to appear, and the vindic-

tive act of parliament closing the port of Boston in 1774, roused the indignant colonists to action.

The several counties of Maryland having appointed committees of conference, they met in convention on the twenty-second of June, and having received the letters from the Massachusetts committee, they agreed to the proposal of a general congress of the colonies, and appointed Mr. Chase, and four others, delegates to attend such meeting, for the purpose of "agreeing on a general plan of conduct, operating on the commercial connection of the colonies with the mother country, for the relief of Boston, and preservation of American liberty."

Mr. Chase was also appointed one of a committee of correspondence for the colony.

He accordingly attended at the meeting of the congress at Philadelphia, in September, 1774.

The votes and proceedings of this congress were kept inviolably secret at that time, and although it is now supposed to be ascertained which of the members were entitled to the credit of preparing the very eloquent state papers which were issued during the session, yet the precise share taken in their consultations by each member, is not, even now, certainly known. The whole effort made by this congress was, however, pacific and conciliatory, and not such as the ardent temperament of Mr. Chase would allow him heartily to approve. It was an experiment founded upon an eloquent appeal from the ministry to the

king and people of England, and was wisely, though unsuccessfully, made.

In December of the same year, which was before any intelligence could be received from the other side of the Atlantic, of the reception which their persuasive addresses met with in Great Britain, Mr. Chase, with an additional number of colleagues, was re-appointed a delegate, to attend at the session to be held in the ensuing May.

Mr. Chase attended in pursuance of this appointment, and joined in the appointment of general Washington, the organization of an army, and all the other measures of defence then adopted.

This session, like the preceding one, was of brief duration; but there was time for Mr. Chase to make many acquaintances and acquire some friendships, among men of the most distinguished talents and virtue of the country and of the age.

He was again elected in the summer of 1775, and attended during the early part of the second session of that year; when his attention was particularly drawn to the affairs of the northern campaign, then prosecuting under the command of general Schuyler and general Montgomery, and of the successful result of which strong, but fallacious hopes, were entertained.

He returned to Maryland before the close of the year, and remained at home a few weeks only; after which he repaired to Philadelphia, and acted with

the very important committee charged with the ways and means of fitting out a naval armament.

The situation of the Maryland delegates was not at this time at all gratifying to their feelings; Mr. Chase, at least, certainly found it extremely irksome. The convention, in renewing their appointment, had expressly restricted them from voting in favour of a declaration of independence; and however anxious they might be to see such a measure adopted, they were bound by their acceptance of this limited appointment, to withhold from it their active and open support.

The resolutions of the convention, first disavowing any desire of independence, and enjoining on their delegates to vote accordingly; then subsequently repeating the same sentiments and instructions, and again finally withdrawing the restriction, have been fully set forth in a former part of this volume, and need not be reiterated; it is sufficient to refer to them to show how slowly the province of Maryland became fully inspired with that spirit of liberty which Mr. Chase, and many others of her sons, had imbibed in so large a degree.

In the spring of the year 1776, he gladly accepted an appointment of the highest trust that congress could bestow—the mission to Canada, in conjunction with Dr. Franklin and Mr. Carroll of Carrollton; not only because the services to be performed might be of the most important benefit to the country, but also because it took him away from the necessity of voting

either against his instructions or against his conscience, in case the question of independence should be speedily agitated in congress.

Great expectations had been indulged of important advantages to be gained by this embassy; it had, indeed, been a favourite object with congress from the commencement of the disputes with the British government, to rescue Canada from the royal dominion, and attach that flourishing dependency to the continental union; or rather, to enable the Canadians to exercise a free choice upon the subject, no doubt being entertained of their desire to join the confederacy.

The choice of commissioners was made, therefore, with extreme care, and implied the utmost confidence in the talents, zeal and fidelity of the gentlemen that were selected. Two members only were appointed for this delicate task, Franklin, who stood deservedly pre-eminent, and Mr. Chase, then a young man of little experience in public affairs, but known already for extraordinary abilities and the most ardent patriotism.

To these were added Mr. Charles Carroll of Carrollton, and his brother, afterwards the arch-bishop of Baltimore, both of whom, as it was supposed, would be able to exercise a powerful influence with the catholics in Canada.

The reverses which, at about this time, befel the arms of the continentals on the northern frontier, prevented whatever success might otherwise have attended this mission. We are not able to detail the

incidents of the journey made by Mr. Chase in the fruitless attempt to fulfil the object of his appointment ; but it is, at least, to be recorded in justice to his fame, that he was selected by congress as the associate of Franklin, in an employment so difficult and momentous.

When he returned to Philadelphia, he found that the proposition had been actually made to issue a declaration of independence, and his trammels sat more uncomfortably upon him than ever. He hungered and thirsted for independence with an eagerness that knew no bounds, and yet was still tied by those ill-timed instructions, and had the mortification to see Maryland holding back when nearly all the rest of the colonies had pronounced their wish for an immediate renunciation of the royal authority.

At about this period, an occurrence took place of a very singular nature, which drew forth a display of Mr. Chase's characteristic fearlessness and decision.

Among the members of congress, there had prevailed the utmost confidence and mutual respect ; and although there were differences of opinion among them, there was not supposed to be any want of sincere and faithful attachment to the common cause.

But Mr. Chase discovered, by what means it is not known, that one of the delegates from Georgia, the Rev. Dr. Zubly, was in actual correspondence with the royal governor of that province, and immediately denounced him to congress as a traitor. Zubly admitted the truth of the accusation by a hasty flight,

and measures were instantly taken for his arrest, but without success.

Shortly after this, the persuasions of Mr. Chase, and others who thought and felt as he did, and the example of some of the other colonies, induced the Maryland convention to rescind their instructions, remove the restriction, and leave their delegates to the exercise of their own judgment on the question then occupying the attention of congress; and Mr. Chase had the delightful satisfaction, in the course of the following week, of voting in favour of that independence which he had so ardently desired; and in the next month he placed his name on the imperishable document which proclaimed the freedom of his country.

He was re-elected on the fourth of July, 1776, again on the twentieth of November of the same year, again in February, 1777, by the house of delegates, and in December, 1777, by the general assembly. Until the end of the year 1778, he was generally at his post, except occasionally when for a few weeks, the representation from Maryland being full without him, he turned his attention to his own private or professional affairs; and during all the time of his attendance, he was constantly chosen a member of all important, as well as many unimportant, committees. The number and variety of the duties devolved upon him by this frequent and almost daily appointment, seem to have been greater than ought to have been imposed on any one man, however indus-

trious and able. The most discordant subjects—whether they were in their nature military, marine, financial, judicial, or political, without discrimination or mercy, were thrown upon his attention.

Urgent as were the calls of his professional duties and private interests, he did not hesitate to break off abruptly from the business in which he might be occupied, during his occasional visits to Annapolis, if he heard of any question being in danger of a wrong decision in congress, or any measure of wisdom and urgency requiring his support.

Thus very soon after he had joined in the vote for independence, having retired for a short interval to the pursuit of his studies and the care of his domestic concerns, he hastened back to Philadelphia on hearing that the plan of a confederation and a foreign alliance, met with opposition and delay.

The anxiety of his mind on these subjects is plainly to be seen in a letter which he wrote to Richard Henry Lee, at this time. "I hurried to congress," he says, "to give my little assistance to the framing a confederacy and a plan for a foreign alliance; both of them subjects of the utmost importance, and which, in my judgment, demand immediate despatch. The confederacy has engaged our close attention for a week. Three great difficulties occur; representation, the mode of voting, and the claims to the south sea. The whole might, in my opinion, be settled, if candour, justice, and the real interests of America, were attended to. We do not all see the importance, nay,

the necessity, of a confederacy. We shall remain weak, distracted, and divided in our councils; our strength will decrease; we shall be open to all the arts of the insidious court of Britain, and no foreign court will attend to our applications for assistance, before we are confederated. What contract will a foreign state make with us, when we cannot agree among ourselves? Our army at Ticonderoga, consists of six thousand men, of which three thousand are in the hospital, from the small-pox and other camp disorders. Our army at New York contains fourteen thousand, of which only ten thousand are effective. Our flying camp in the Jerseys, has but between three and four thousand troops. No news from general Washington. He writes, twenty-seventh, that eight sail, supposed to be part of Lord Howe's fleet, arrived at the Hook that day."

In the autumn of 1776, he was named along with Messrs. Wilson, Smith, Clymer and Stockton, as a committee charged in effect with the entire executive functions of the government, if the powers exercised by the congress can be called government: that is to say, with the all-important task of "devising and executing" measures for effectually reinforcing general Washington, and obstructing the progress of general Howe's army.

This was tantamount to a devolution of the whole power of congress into the hands of a "directory" of five men, and was intended as a substitute for conferring unlimited powers on the commander-in-chief.

Pressing and important as were the duties of this executive committee, which however they soon found they could not fulfil, Mr. Chase was not therefore excused from giving his labour to other subjects. The removal to Baltimore, which occurred soon after, and the resolution providing that "general Washington be possessed of full power to order and direct all things relative to the department of war," superseded the executive committee and relieved them from a most embarrassing and perplexing task.

Another committee, of which he was a member, was appointed to devise means for suppressing the internal enemies of the union, and was obliged to notice the obnoxious conduct of the quakers, and to consider how far it was requisite to adopt strong measures in respect to them. The dangers of the period, and the magnitude of the stake, induced the committee to recommend, and Congress to adopt, a measure that seems at this distance of time to have been harsh, but which was doubtless considered indispensably necessary then. This was the apprehension of several very respectable members of the society of Friends at Philadelphia and elsewhere, and also the imprisonment of other persons whose conduct or conversation was exceptionable. This report and the agency which Mr. Chase had in its preparation and adoption, may have been the original cause of his thinking less unfavourably than a majority of his countrymen, at a much later period, of the sedition law, as it was called, which was founded on the same

principle as these resolutions of the revolutionary congress, although it met with so very different a reception from the American people.

The reasons which Mr. Chase and the other members of the committee presented to congress, in support of their recommendation, were, "that the several testimonies which have been published since the commencement of the present contest betwixt Great Britain and America, and the uniform tenor of the conduct and conversation of a number of persons of considerable wealth, who profess themselves to belong to the society of people called Quakers, render it certain and notorious that those persons are with much rancour and bitterness disaffected to the American cause: that as these persons have it in their power, so there is no doubt it will be their inclination, to communicate intelligence to the enemy, and in various other ways to injure the counsels and arms of America:

"That when the enemy, in the month of December, 1776, were bending their progress towards the city of Philadelphia, a certain seditious publication, addressed 'To our friends and brethren in religious profession in these and the adjacent provinces,' signed 'John Pemberton, in and on behalf of the meeting of sufferings held at Philadelphia, for Pennsylvania and New Jersey, the twenty-sixth of the twelfth month, 1776,' was published, and as your committee is credibly informed, circulated amongst many mem-

bers of the society called Quakers, throughout the different states :

“ That the seditious paper aforesaid originated in the city of Philadelphia, and the persons whose names are mentioned have uniformly manifested a disposition highly inimical to the cause of America.”

The committee, therefore, recommend that the persons of several well known Quaker gentlemen should be “ secured,” together with such papers in their possession as might be of a political nature. And they add, that “ whereas there is strong reason to apprehend that these persons maintain a correspondence and connection highly prejudicial to the public safety, not only in this state, but in the several states of America :

“ That it be recommended to the executive powers of the respective states, forthwith to apprehend and secure all persons, as well among the people called Quakers as others, who have in their general conduct and conversation evidenced a disposition inimical to the cause of America; and that the persons so seized be confined in such places, and treated in such manner as shall be consistent with their respective characters and security of their persons :

“ That the records and papers of the meetings of sufferings in the respective states, be forthwith secured and carefully examined, and that such parts of them as may be of a political nature, be forthwith transmitted to congress.”

However severe this treatment of the members of a sect generally unoffending, and far from seditious, may appear at first view, there was certainly much provocation given by the quakers in their publications prior to this time, intended for the purpose of thwarting and discrediting the plans of congress; besides the detection of a systematic scheme of communication with the enemy, which had been put in practice by a monthly meeting in New Jersey.

The testimony published by order of a general meeting of the quakers of Jersey and Pennsylvania and by subordinate meetings, also contained many seditious sentiments, which were of course, widely circulated, and which congress could not but feel as insulting and at the same time injurious.

Thus, in the beginning of the year 1775, they had published an address or testimony, in which they say, in reference to the revolutionary movements which had then taken place, "we have, by repeated public advices and private admonitions, used our endeavours to dissuade the members of our religious society from joining with the public resolutions promoted and entered into by some of the people, which as we apprehended, so we now find have increased contention, and produced great discord and confusion.

"We are, therefore, incited by a sincere concern for the peace and welfare of our country, publicly to declare against every usurpation of power and authority, in opposition to the laws and government, and

against all combinations, insurrections, conspiracies and illegal assemblies.”

Again, in the commencement of 1776; they concluded an eloquent anti-revolutionary address in these words, “ may we firmly unite in the abhorrence of all such writings and measures, as evidence a desire and design to break off the happy connection we have heretofore enjoyed, with the kingdom of Great Britain, and our just and necessary subordination to the king, and those who are lawfully placed in authority under him.”

Subsequently to the Declaration of Independence, they persevered in the use of the same offensive language, exhorting their members to “ withstand and refuse to submit to the arbitrary injunctions and ordinances of men who assume to themselves the power of compelling others, either in person or by other assistance, to join in carrying on war.”

They also complained bitterly, and perhaps not without cause, of having their blankets taken from them, under requisitions and to such an extent of deprivation as to be in danger of wanting “ that needful covering in a cooler season.” And that their houses had been stripped of the leaden weights by “ order of those who have in these tumultuous times assumed the rule.”

But the heaviest grievance which they suffered, seems to have been the inconveniences they were put to in consequence of refusing to keep the appointed

fast days, or to celebrate the first anniversary of the declaration of independence.

“The houses of several Friends,” they said, “have been wantonly abused, and their windows broke and destroyed by a rude rabble, for not joining with the present rulers in their pretended acts of devotion, and conforming to their ordinances in making a show of that sort, in shutting up our houses and shops, professedly to observe a day of humiliation, and to crave a blessing on their public proceedings, but evidently tending to spread the spirit of strife and contention.

“The like abuses and wanton destruction of our property hath lately been repeated, because Friends could not illuminate their houses, and conform to such vain practices and outward marks of rejoicing, to commemorate the time of these people’s withdrawing themselves from all subjection to the English government, and from our excellent constitution, under which we long enjoyed peace and prosperity.”

Before passing from this view of Mr. Chase’s congressional services, which we have seen were not surpassed by those of any other member, it may be excusable to set forth, in part, a most eloquent state paper which he drafted shortly before he relinquished his seat in congress.

In the spring of 1778, intelligence was received of the intention of the British parliament to pass certain acts, called conciliatory bills, providing for the appointment of commissioners to treat with the Americans. Congress were very jealous of the operation

of this news upon the zeal and determination of the people, and had no faith in the sincerity of the ministry, whom they suspected of a design to divide and distract, but not to conciliate.

These drafts of intended bills were industriously, but secretly circulated by the tories, until congress caused them to be published, and circulated at the same time a countervailing address. The preparation of this paper was entrusted to Mr. Chase, Mr. Richard Henry Lee, and Mr. Gouverneur Morris, and the actual composition of it was left to Mr. Chase, and is marked by the nervousness of style and directness of assertion that characterized his writing and conversation. With less of rhetorical elegance than is found in the preceding addresses, particularly that of the year 1774, composed by Mr. Lee, it is not less persuasive and eloquent.

“Three years have now passed away,” thus it begins, “since the commencement of the present war. A war without parallel in the annals of mankind. It hath displayed a spectacle, the most solemn that can possibly be exhibited. On one side, we behold fraud and violence labouring in the service of despotism; on the other, virtue and fortitude supporting and establishing the rights of human nature.”

After a vivid and faithful picture of the war, from its commencement to the time then present, the unwillingness with which the colonists took up arms, the unprepared and defenceless condition of the country, the immense power of the enemy, their cruelty

to prisoners, their employment of savages, their exciting the negroes to murder the whites, the ill success of all their efforts, and finally their insidious attempt to lull the Americans into a false security, the address touches upon the better prospects that had opened to their view: "At length," it is urged, "that God of battles, in whom was our trust, hath conducted us through the paths of danger and distress to the thresholds of security. It hath now become morally certain, that, if we have courage to persevere, we shall establish our liberties and independence.—The haughty prince, who spurned us from his feet with contumely and disdain,—and the parliament which proscribed us, now descend to offer us terms of accommodation. Whilst in the full career of victory, they pulled off the mask, and avowed their intended despotism. But having lavished in vain the blood and treasure of their subjects in pursuit of this execrable purpose, they now endeavour to ensnare us with the insidious offers of peace. They would seduce you into a dependence, which necessarily, inevitably leads to the most humiliating slavery."

The address then argues against reposing any trust in the conciliatory professions of the enemy, and calls on the people to make one strenuous effort more, which, it promises, will be sufficient; and concludes with an anticipation of the prosperity that would follow an honourable peace.

"If you exert the means of defence which God and nature have given you, the time will soon arrive,

when every man shall sit under his own vine and under his own fig tree, and there shall be none to make him afraid.

“The sweets of a free commerce with every part of the earth will soon reimburse you for all the losses you have sustained. The full tide of wealth will flow in upon your shores, free from the arbitrary impositions of those, whose interest and whose declared policy it was to check your growth. Your interests will be fostered and nourished by governments, that derive their power from your grant, and will therefore be obliged, by the influence of cogent necessity, to exert it in your favour.”

In order to disseminate this address the more widely the aid of the pulpit was invoked, and it was recommended to ministers of the gospel, of all denominations, to read it immediately after divine service in their respective churches, chapels and other places of public worship.

The hall of congress was no place for the display of vehement or passionate oratory. Sitting with closed doors, and without reporters or published journals, there was no temptation to speak, except for the purpose of convincing the judgments of the thirty or forty sedate and thoughtful patriots, who were not to be moved by declamation nor seduced by the graces of rhetoric.

Yet it was said of Mr. Chase, that on some occasions in debate, his ardour transported him far beyond the simple logic that the place seemed to require. In

the Maryland house of delegates, of which he had been a member for several years before he appeared in congress; and also in the election contests, which were carried on with great animation, he had improved to a high degree of excellence his powers of energetic, forcible delivery. In the language of party he was, therefore, styled the 'Demosthenes of Maryland;' and it was reported of him that he anticipated in congress the regular proposition of independence, by the most impassioned and vehement exclamation, that "by the God of heaven, he owed no allegiance to the king of Great Britain."

Ardent, active and undaunted he certainly was, not only in congress, but every where, in the cause of freedom, from his very entrance upon the stage of manhood until the consummation of his wishes in the peace and the acknowledgment of independence; and equally undaunted, ardent and active in the support of what he considered just sentiments and correct principles, during the later part of his life.

His habits of study were never intermitted, except when they gave way to the calls of public duty. He found time, in the midst of all the anxieties and agitations of the revolution, to make himself a very accomplished lawyer; and never lost his rank as such among competitors who had given much less of their attention to affairs so disconnected with their professional advancement.

To the pursuit of eminence and honest profit at the bar, he devoted the last two or three years of the

war; and in a private station hailed the return of peace and the establishment of secure independence.

In the year 1783, an incident occurred that, both on account of the importance of its consequences and the strong light in which it displays the warmth of feeling and keen penetration of Mr. Chase, ought not to be omitted.

Being in Baltimore, he was induced to attend, as an auditor, the meeting of a debating club, composed chiefly of students and very young men. Among the speakers there was one whose excellent style of delivery, fine voice, and strength of argument, particularly caught his attention. He spoke to the youth after the debate had closed, and found he was from Annapolis, and had been placed with a physician and apothecary in Baltimore, where he compounded medicines, and expected to receive instruction in pharmacy and medical practice. Mr. Chase advised him to study law, and encouraged him to hope for success in the legal profession. To this the youth replied, that he could not afford to go through the preparatory course of study, being entirely without means, and having no dependence except upon his own immediate exertions. Mr. Chase, with the sympathy of kindred genius, felt for the friendless youth an instantaneous regard, and perceiving at once the indication of great native powers, resolved that a mind so highly gifted should not languish in obscurity; he therefore invited the young man to the benefit of his library, his instruction, and his table; and urged upon

him the immediate acceptance of the offer so earnestly, that it was promptly and gladly accepted, and the fortunate youth sent his trunk by a sloop, while he went on foot himself to Annapolis, where he became not only established in the office, but domesticated in the family, of his generous benefactor.

This young man was William Pinkney, afterwards the eloquent and learned attorney general of the United States, minister successively at the courts of London, Naples, and St. Petersburg, the most distinguished lawyer in America, and, until the blight of party dissensions fell upon their attachments, the ardent and grateful friend of Mr. Chase.

The state of dependence which the young Pinkney was obliged for a while to endure, subjected him to many mortifications, arising from the pride and the prejudices of his associates, who thought themselves more respectable, because more fortunate; but could they, or he, have then looked forward to the brilliant destiny that awaited him, their pride and his distress would equally have vanished. Under the pressure of such feelings as his peculiar relation towards Mr. Chase excited, he wrote to him the following letter: "Never, sir, in writing to any person, did I find myself so much at a loss for a subject.—I wish to say something worthy of your attention, but the very eagerness of that wish damps my abilities for doing it.—But there is one point upon which I cannot but enlarge; it touches me so sensibly that I am filled with the deepest regret every time I reflect on it.

“The greater part of the students belonging to the law seem to be my enemies, for what reason, heaven knows! To some I may have given cause, to others, I am certain none.—You, sir, with all your discernment can hardly conceive the uneasiness of my situation; destitute! friendless! and unhappy! Opposed by all, supported by none! Troubled with a thousand domestic vexations!—Oh! be my patron and my friend! Assist me to struggle through my difficulties, and kindly smooth the rugged path before me!

“You, give me leave to say, sir, know what it is to climb the steepy road to eminence,—your merit encountered many an adverse shock, but you surmounted all;—my poverty and singular backwardness of genius are too powerful obstacles for me to combat. To you, then, I look up as my guardian genius, my protector, my prop; do not let me be deceived, do not let me be disappointed.—Pardon this incoherent scrawl.—I have been lately extremely ill, and am but just recovering: weakness prevents me from proceeding farther than to wish you uninterrupted health, together with

‘The soul’s calm sunshine, and the heartfelt joy.’”

This letter was written while Mr. Chase was in England, to which country he had gone at the request, and on behalf of the state of Maryland, for the purpose of urging a claim to certain bank stock, in which a large amount of the funds of the former colony had been invested before the revolution.

This was a new scene of action for him, and one less suited to his taste and temper than those which he had been accustomed to. He succeeded, however, in establishing the justice of the claim, and put it in a train for the adjustment, which was finally made, after Mr. Pinkney had added his efforts in the same cause. The amount finally received by Maryland through this negociation was about six hundred and fifty thousand dollars.

Mr. Chase remained less than a year in England, during which time he gratified a rational, and, it may be said, a professional curiosity, in observing the proceedings of the various courts of justice and the two houses of parliament. He made many interesting acquaintances also, particularly among the gentlemen of the bar, and those of parliamentary or literary celebrity; and the intelligence, frankness, fine flow of spirits and remarkable powers of conversation which distinguished the American patriot and lawyer, made a most agreeable as well as unexpected impression on the British statesmen and barristers to whom he became known.

He was a close observer of all that he saw, even of many particulars of taste and fashion, which a man of his great strength of mind, and habit of applying his attention to great national subjects, would scarcely be supposed to notice. For example, he set down in his journal, for the amusement of his family, a very minute description of the appearance of the royal family at the theatre, and the decorations of

the box prepared for them, from which we cite a passage, not on account of the dignity or interest of the subject, but as a proof of the minuteness of his remarks.

“ The king was dressed in a plain suit of clothes with gold buttons, with a large black ribbon across his breast. The queen in white satin, her head dress ornamented with a great number of diamonds. The princess royal was dressed in a white and blue figured silk; and the princess Augusta in a rose coloured and white silk, of the same pattern with her sister's; having both their head dresses ornamented with diamonds. The prince of Wales wore a suit of dark blue Genoa velvet, richly trimmed with gold lace. The royal family were seated under three state canopies; their majesty's was a domo, covered with crimson velvet, surrounded by an elegant cornice and mouldings, carved and gilt with burnished gold, under which was hanging a drapery of crimson velvet tied up with gold knots and tassels; and above that a drapery roller, the whole trimmed with rich gold lace, and fringed and ornamented with embroidered stars, parterres, &c. &c. of various colours. On a rising pedestal from the domo, were a lion and unicorn, carved and gilt, couchant, supporting a very brilliant crown proper. The front of the box, raised by a platform projecting on the stage, was covered with crimson velvet, laced and fringed, in the centre of which were the royal arms, supporters and motto, most elegantly and beautifully embroidered on foils of their own

proper colour, terminating on each side with scrolls and parterres in the same manner. From the capping hung a festoon, vallon, laced, fringed and decorated with embroidered stars. The inside of the box, (which was very spacious,) was hung with crimson satin, laced with gold, and the chairs were cabrioles, carved, gilt, and covered with crimson velvet. The queen sat on the left hand of the king next the stage; two ladies, one the duchess of Ancaster, attended on and stood behind the queen, two noblemen attended on and stood behind the king."

In the year 1786, judge Chase removed from Annapolis to Baltimore. The occasion, or at least a part of his inducement, was the pressing invitation and generous proposal of his friend colonel Howard, the distinguished soldier of the revolution, whose heroism at the battle of the Cowpens, has identified his fame with the just pride of our nation.

Colonel Howard possessed a large estate in the immediate vicinity of Baltimore, on which a portion of the city has since been built; and being anxious for the improvement of the town, which then did not contain more than one-sixth of its present number of inhabitants, and highly appreciating the possible acquisition of such a man as Mr. Chase to his neighbourhood, he offered him a square of ground, without any other consideration for it than the actual residence of himself and family upon it.

Colonel Howard's written proposal was dated the thirteenth of February, 1786, and is in these words :

“Sir, I understand you have determined to remove to Baltimore town, which I approve and would encourage. I will convey to you, in fee, one square of ten lots of my land, near the square laid out and intended for the public buildings, without any consideration; and if the seat of government should be removed, and the public buildings shall be erected on my land, in such case I will convey to you, in fee, another square of ten lots, adjoining the square above mentioned, without any consideration.”

This singular offer, which was characteristic both of the liberality of colonel Howard and the high estimation in which the character, influence, and usefulness of Mr. Chase was held, was accepted and effectuated. The square was laid out, to be bounded by Eutaw, Lexington, Fayette, and Paca streets; the conveyance was made, and Mr. Chase afterwards built there the house of his permanent abode, where he lived and died, and which still belongs to his descendants.

In consequence of the representations of the grand jury in the year 1788, a new court of criminal jurisdiction was organized for the county and town of Baltimore, and Mr. Chase was appointed chief justice. In the same year he was elected a member of the state convention, which ratified, on the part of Maryland, the new constitution of the United States; and in 1791, on the resignation of Thomas Johnson, he was appointed chief justice of the general court of Maryland.

There is something unaccountably attractive in judicial station. The acceptance of it by such men as commonly have the option, is generally a sacrifice of a large proportion of their income, for a very limited salary; and the relinquishment of a very honourable profession, for a position of great labour, vexation and responsibility. Yet we rarely see such appointments refused. Mr. Chase was yet in the meridian of life, with talents and acquirements that ensured a successful and lucrative career at the bar; but he chose to give up the prospect of professional eminence, together with the opportunities which his character and situation would have supplied for political distinction, and to make his reputation as a judge the criterion by which his name is to be especially estimated by posterity.

When the new constitution went into operation, judge Chase was not at first altogether pleased with the state of public affairs. His construction of the relative powers of the president and the senate, in respect to appointments, would seem singular at this time. But our ideas of the constitution are now formed more generally from observing its actual operation, than by study of its written provisions; in the beginning of its existence the letter of the instrument was the only guide, and looking to that alone, he supposed it would be the duty of the president to submit a list of candidates for any office to the senate, who would make the selection out of this number, and so determine the appointment.

In some other particulars he seems to have found cause for dissatisfaction ; thus he wrote to Mr. Lee in July, 1789: "I sometimes see debates in the lower house of parliament, but none in the senate. I hear their doors are locked ; if true, I am sorry for it. I retain my republican principles, although our government, and the principles of the people, are changed, and are monarchical. I approve of the amendments of the senate to the impost bill: the duties are yet too high, and experience will prove it. I think the subject of the bill ought to have been divided: duties for revenue ; duties for the regulation of trade ; and duties to encourage manufactures, if you have any power by the constitution to impose taxes or duties for these purposes. I perceive by the bill for the establishment of the judicial courts, that the jury trial is secured. If the jury trial depends on a law, I suppose it may be modified, or taken away by another law. I think the bill is ably drawn. I think there are some defects. The circuit courts ought not to have jurisdiction of cases under eight hundred dollars. The district court ought to have jurisdiction of juries to amount of eight hundred dollars. The same persons ought, on no account, to be judges of law and equity. The restriction on the jurisdiction of the courts of equity will render the court useless in a thousand instances, in which it ought to have jurisdiction. It is difficult to define its jurisdiction, but the limitation will do great injury. I have written my idea of a proper clause, pointing out in what ca-

ses the equity courts shall have jurisdiction, to Mr. Housy. I consider the district court as the most useful and important; the superior court as the most honourable and profitable. If it is intended to give the district judge jurisdiction of prizes in time of war, his office will be very important, and will require considerable abilities, as well as great integrity. I say if *intended*, because it is omitted."

A few years after this time, the unhappy dissension arose which divided this nation into parties, called federal and anti-federal, or federal and democratic.

The federal party was charged with inclining to aristocratic notions, entertaining partialities for England, and desiring to strengthen the executive branch of the government, and to depress the rights or disregard the will of the people.

We have seen in the letter to Mr. Lee just cited, what were judge Chase's general sentiments on the subject of the constitution, which even with his construction of the executive powers, he considered not sufficiently democratical.

We have seen also, in the events of his early years, how devotedly he served the cause of the people against the oppressions of the aristocracy and royal power.

As to his feelings towards the British nation, there is proof, besides the incontrovertible evidence which his actions afforded, that he had imbibed, instead of partiality and attachment, a deep rooted and perhaps

excessive animosity. Speaking of the contest between England and France, in a letter to an intimate friend, he said, "I wish most cordially to see that proud, wicked and tyrannical nation," meaning England, "reduced to beg terms of peace from her ancient and inveterate enemy."

With these principles and sentiments, neither changed nor enfeebled, he became a zealous and unwavering federalist, and continued to the end of his life firmly and ardently attached to that party to which views and feelings so opposite have been so often and positively ascribed.

If there be any mystery in this, it is not our province to explain it. We may venture, however, to suggest, that the future historian of this country, looking back on the distractions and heats of the period to which we refer, will record many instances of pure patriotism and true republicanism on each side of the party line; and will say that a deal of strife and asperity arose out of questions possessing little intrinsic importance; that the parties misunderstood each other; and that they quarrelled only about men, when they thought they were contending for principles.

Whether as an exception to a general rule, however, or as an example of a whole sect, it is not for us to decide, but certainly judge Chase was at the same time a sincere patriot, a true republican, no lover of England, and a warm federalist.

His political opinions being founded on honest feelings, his ardent temperament did not suffer him to remain a lukewarm politician, in a period of universal excitement. He therefore expressed himself freely and forcibly on the subject at all times, and made for himself many enemies by so doing.

In the year 1796, he was appointed by president Washington to the office of an associate judge of the supreme court of the United States. In this exalted station he continued about fifteen years, distinguished by the dignity and ability with which he performed its functions.

His decisions were seldom or never reversed, his ability was conspicuous, his industry and integrity were unquestioned; his legal opinions and instructions to juries were marked by sound sense, clear demonstrative logic, discrimination, and learning; expressed in perspicuous language, and delivered with remarkable impressiveness of manner.

He may fairly be said to have been a great judge; and was pronounced by a very distinguished lawyer of the Philadelphia bar, who was not his personal nor political friend, the "greatest" that he had ever seen; meaning, by that often misapplied term, the most prompt, sagacious and learned.

Yet with this well deserved reputation, and notwithstanding the gratitude due to him from this nation, he was impeached by the house of representatives, tried before the senate on charges of high misdemeanors, and narrowly escaped condemnation.

The true cause and origin of this incident in his life, is to be found in his habit of unreservedly expressing his opinions on national politics, and censuring freely where he thought censure was deserved.

In the year 1800, he held the circuit court, along with judge Peters, the district judge, at Philadelphia; and among the prisoners to be tried was John Fries, who had been charged with treason in raising an insurrection against the general government, in the state of Pennsylvania.

Fries had already been tried and convicted before judges Iredell and Peters; but a new trial had been granted on account of some irregularities on the part of a jurymen. The prisoner had been strenuously defended by Mr. Lewis and Mr. Dallas, lawyers of distinguished talents, who had rested his cause on a point of law, and admitting or faintly denying the facts, had contended that all his misdeeds fell short of the legal definition of treason.

The court had on that occasion given an elaborate judgment on the law of treason, which had been the subject of much discussion among judges and lawyers, as the trial had excited strong public interest.

When the session of the court was approaching, judge Chase having considered the subject and made up his mind fully in concurrence with judge Iredell, and knowing that the whole argument would be repeated before him, thought it would save time and trouble to inform the gentlemen concerned as counsel

for Fries, and also the district attorney, of the judgment which he had formed respecting the law.

With the approbation of judge Peters, therefore, he caused three copies to be made of his opinion, of which, when the court met, he gave one to Mr. Lewis, and one to Mr. Rawle, the district attorney, reserving the other avowedly for the use of the jury that should be impannelled. He told the lawyers, however, that he did not mean to prohibit their arguing the matter to the court or to the jury.

Mr. Lewis and Mr. Dallas, knowing that their client's case was desperate, immediately refused to attempt any defence, declaring that the cause had been prejudged. The next day judge Chase, finding the lawyers had, as judge Peters expressed it, "taken the stud," endeavoured to prevail on them to proceed with the cause, assuring them of every possible privilege and indulgence; but they thought the chance of obtaining a pardon would be better if Fries were convicted without any attempt at a defence than if the effort were made, and they knew there was little hope of producing a result different from the former verdict.

Fries was tried without counsel, declining to allow others to be assigned for him; and convicted; but afterwards pardoned by the president.

The justification of judge Chase's conduct, in this matter, was very plain, to impartial spectators.

He had no motive for desiring to injure the prisoner, or to prevent him from having a fair trial. His uniform practice had been to war against the proud,

not the object. Stern and severe as he was in the administration of justice, he never had been known to be cruel or oppressive. In apprizing the counsel beforehand, of his opinions, he only did what the customary charge to the grand jury always does, much more publicly, before the cases are heard, that the judge knows are to come before him. It was done with the concurrence of judge Peters, and to those who know that estimable man, to say that he approved, is enough to show there could have been nothing intentionally wrong.

The congress were at that time in session at the same place, Philadelphia, but even in that arena of licensed animadversion, the political enemies of the judge did not think of insinuating a censure. Yet, four years after, this was made the prominent article of an impeachment charging him with conduct "arbitrary, oppressive and unjust," and with having brought disgrace on the character of the American bench.

In the course of the same spring, he held the circuit court for the Virginia circuit. A man named Callender, had published a libel, or what was called a libel, of a very atrocious character, against the president, and was tried for it at this court. Judge Chase had, of course, heard of the man and of the publication, and did not consider himself bound by any obligation of law or morality to suppress his opinion of both. He approached the trial, however, with no wish for the success of any thing but justice. Certain technical questions arose as to the competency of a juryman

and the admission of evidence, which the judge happened to rule in such a way as was not propitious to the views of the prisoner's counsel, who besides being disappointed by his decisions of these points, were offended by the energy and abruptness of his manner.

Whether he was right in a legal view, is a question of pleading not proper to be discussed here ; his decisions were subject to be overruled by a higher judicial power, but no appeal was taken.

In June of the same year, he presided at a circuit court for the Delaware district, at Newcastle. Here it was necessary for him to give a charge to the grand jury, instructing them in the definition of the crimes to which their attention would probably be directed.

The sedition law was at this period in force ; a severe and impolitic law, it may be said to have been ; and as it proved, an unfortunate enactment for the principal promoters and defenders of it. Still it was the law of the land, and judge Chase considered himself bound to carry it into execution. It may be presumed, too, that he felt no repugnance towards this performance of his duty. The law resembled in its principles the resolutions of congress passed in 1778, which we have seen were founded on a report, in the preparation of which he had joined ; and were directed against the disaffected Quakers and others, whose sole offence was, indiscreet or mischievous talking, with quite as much severity as could be objected to the sedition law.

Judge Chase had always been in favour of strong measures, in the pursuit of what he thought a good object. Thus, we have seen him in 1765, joining, if not leading a mob, in the riotous insult to the stamp distributor ; afterwards in 1777, he proposed to compel the tories to lend to congress, by making loan-office certificates a tender in all cases, so that, if A, a whig, owed B, a tory, instead of paying him money, which B would not lend to the continental government, he might pay the money into the treasury, and give B a loan-office certificate ; a high handed measure certainly, this would have been, but the end would perhaps have justified the means. So again in 1778, he recommended the arrest of the Quakers ; and it is not to be wondered at if in 1800, he looked upon the sedition act as the wisest and most proper of all possible laws.

But he certainly thought it incumbent on him to direct the attention of the grand jury towards a newspaper of notoriety in the district, which he understood or had reason to believe, was constantly transgressing the law intended to curb the licentiousness of the press. Judge Bedford, who sat with him on the bench, did not think it necessary to meddle with such matters, but the characteristic and honest observation of judge Chase was, " My dear Bedford, wherever we are, we must do our duty."

Great changes were seen within a short time following this period. Mr. Jefferson was elected president, many laws were repealed, the judiciary system

was enlarged and then again cut down, the Maryland constitution in some points altered, but party spirit remained undiminished.

In the year 1803, when the disputes on political questions had been very warmly carried on, the judge in delivering a charge to the grand jury, at Baltimore, took the opportunity of reading them a lecture on politics. This was rather out of time and out of place, but it must be remembered, that great latitude has at all times been allowed to grand juries, in this country, and we have seen them often interfere in matters that do not seem to be at all within their legitimate province ; a judge, therefore, in addressing them on political subjects, did not lead them from the track of inquiry which it was their duty to follow, but only sanctioned the bad example which had been already set and imitated.

The principal topic of his address, was the recent change in the constitution of Maryland, by the extension of the right of suffrage, an innovation which he thought of most pernicious consequence.

He also inveighed against the change that had been made in the judiciary system of the union, and argued fully against doctrines which he ascribed to the political leaders of the majority.

In January, 1804, Mr. Randolph moved in the house of representatives that a committee should be appointed to enquire into his official character, having in his prefatory remarks assured the house there was ground for an impeachment. The resolution being

amended, so as to include an enquiry into the conduct of judge Peters also, was adopted.

The committee made their report on the sixth of March, absolving judge Peters from blame, but recommending an impeachment of judge Chase; and on the twenty-sixth, the articles of impeachment, six in number, were reported. The session of congress closed the next day. At the opening of the next session, Mr. Randolph renewed the matter, and two new articles were added. In due process of time and form, the senate was organized as a court, and he was put on his trial, which began on the second of January, and continued, after an adjournment, on the fourth of February, till the first of March, 1805.

The accusations were all founded upon the actions which we have mentioned, at Philadelphia, Newcastle, Richmond and Baltimore, but attributed the worst of motives for that conduct which we have described as proceeding only from an earnest, and perhaps excessive love of justice and zeal for political truth.

The details of the trial could not be given here, without swelling this memoir to an unreasonable bulk. The utmost efforts of Mr. Randolph and the other managers were exerted to produce a conviction, and it was said that much reliance was placed on the spirit of party, and great exertions made to obtain an agreement among the majority to seize this opportunity of crushing a political foe that had never spared his reproaches of their policy, their principles or their characters. But it may well be doubted

whether any such unfair attempt was made, and certainly no such combination was formed.

He was assisted by four able counsellors and faithful friends, Messrs. Martin, Harper, Hopkinson and Key, by whom the defence was managed with skill and dignity. Their arguments were all extremely cogent, but it implies no disparagement to the others, to say that the speech of Mr. Hopkinson, who was then a very young man, has not been exceeded, as a specimen of powerful and brilliant eloquence, in the forensic oratory of our country.

As to five of the charges, he was acquitted by a majority of the senate; on the articles relating to the address to the Baltimore grand jury, and the refusal to admit evidence offered on the trial at Richmond, a majority of the senate voted against him, but as a vote of two-thirds is necessary to convict, he was declared to be acquitted of the whole.

It is remarkable, that John Fries, the prisoner whom he was accused in the first article, of a desire and determination to oppress and deprive of a fair trial, some time afterwards called on the judge, at his house in Baltimore, for the avowed purpose of thanking him for his impartial, fair and equitable conduct on that very occasion.

His spirit was not in the least depressed by the trial. He considered it a mere persecution, and was only the more confirmed by it in his distrust of the party which had gained the ascendancy. His health was, however, at this time failing, and he was obliged

to absent himself during the progress of the impeachment, on account of a severe attack of the gout, which, added to the irritation that he felt towards his accusers, rendered him so impatient of the restraints which his situation, as respondent, imposed, that he could with difficulty be withheld by his counsel from breaking out in open maledictions and scorn, before the high tribunal that was to decide upon his case.

From this time he continued in the undisturbed exercise of his judicial functions, which he discharged with undiminished ability, and endeared to his family and his friends by the kindness and generosity of his private life and the charm of his conversation, which was singularly instructive and agreeable.

Among his virtues, may be included a heartfelt piety and firm belief in the truths of Christianity.

As a member of St. Paul's parish, he was at all times ready to afford his useful assistance and advice, gratuitously, to the vestry, on several occasions of difficulty and embarrassment.

In the year 1811, his health failed, but he continued to enjoy his favourite exercise of riding on horseback until the spring, when he was obliged to discontinue it; and on the nineteenth of June he expired, in the midst of his family, in the beginning of his seventy-first year.

He left a widow, of a second marriage, by whom he had two daughters, one of whom had married George Dugan, Esq. and the other William B. Bar-

ney, Esq.; the son of the gallant commodore Barney, so distinguished in the war of the revolution. The children of his first wife also survived, and filled highly respectable stations in society.

It was inadvertently stated in the commencement of this memoir, that he was an only child; of his mother he was so, but his father had a family by a second marriage. An error was also committed in naming Thomas Johnson as his instructor in the law. He prosecuted his studies under the superintendence of John Hammond and John Hall, both of Annapolis.

It may be safely said that Samuel Chase was one of the most extraordinary men of his age, and exerted perhaps as potent and extensive influence over the minds of others, as any one of the distinguished personages who assisted in the establishment of this great and growing empire. He possessed, not indeed the "frame of adamant," but was gifted with a "soul of fire," as truly as the restless monarch to whom it has been so beautifully ascribed.

He seemed to have been born for the occasion and the crisis; and his fine intellect, undaunted courage, and fervid temperament, all ministered to the glorious result. He arrived at manhood just as the disputes between the colonies and the mother country began; and from that time till the declaration of independence, he moved about unceasingly like a flame, casting warmth and light around him. His contagious ardour and powerful rhetoric, made proselytes

of his wealthy and less sanguine friends, who having much to lose, were timorous and lukewarm in the cause; and thus were some recruits enlisted that afterwards sustained their parts efficiently and nobly. His influence over the less considerate was unbounded; he was described as moving perpetually "with a mob at his heels." This was in the very commencement of the troubles, when he was the torch that lighted up the revolutionary flame in Maryland. His father was opposed to all these movements: the son encouraged an assemblage of young patriots to compel the old gentleman, with others, to take the oaths of fidelity to the new government. Disinterested and consistent in all things, he joined in a measure which reduced his father's income; his own he neglected in order to serve his country.

We have seen how efficient were his services, and how constant his labours during the war. As a judge, he was not quite in his most appropriate sphere; a colder temperament would have suited the judicial station better. Yet his faults were those of manner only; and happy would our country be to see always so much learning and excellent judgment, and pure integrity, in her judges, as marked the judicial character of Mr. Chase.

The vehemence of his feelings on the subject of party politics was to be expected in a man who never had been lukewarm in his life. He could not separate his feelings from his judgment; and though he may have been mistaken, he was unquestionably sin-

cere and firmly patriotic. "Yes, sir," said he to a son-in-law, a few years before his death, "you are a democrat; and you are right to be one, for you are a young man; but an old man, Mr. —, would be a fool to be a democrat."

Such a man could not fail to make enemies; but he had the happiness to retain to the last the warm attachment of many men, whose friendship was an honour of which he had more reason to be proud, than of any success or influence he could have met with in life.

William Paca was his intimate and bosom friend from their first starting together in the career of professional life and patriotism, in 1761, till the time of his death in 1799. Colonel John E. Howard, James M'Henry, Luther Martin, Robert G. Harper, bishop Carroll, colonel Nicholas Rogers, were his particular friends; and if others are omitted from this enumeration, it is not because he had not others of whose regard he was equally proud.

Nor should we forget to place the name of the illustrious William Pinkney on this list; although, during a few years, an estrangement took place between them. No blame is intended to be imputed to Mr. Pinkney on that account. He was a conspicuous member of the party which judge Chase never failed to speak of, as he thought, most severely. It is not to be wondered at, when party animosities were so much exasperated, and the judge had thrown so much warmth into his opinions, and considered

himself personally wronged by Mr. Pinkney's friends, that a cessation of intercourse should have taken place, of which the misfortune, if not the fault, was mutual.

His life was so active; the part he bore in a period of exertion, excitement, and difficulty, so important; the incidents of his long life so numerous; that this sketch must be considered as but an outline, faithful indeed, and just, but leaving room for a future biographer to add the interesting details which would supply ample materials for the more complete history of a man, whose actions posterity will seek to be more intimately acquainted with, and whose character will be the more highly appreciated as it is more particularly known.

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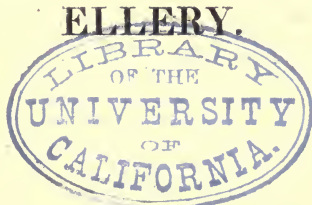
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WILLIAM ELLERY.

VOL. IX.—H h





ALTHOUGH the smallest of the British colonies in point of territorial limits, the province of Rhode Island and Providence Plantations, as it was termed before the revolution, maintained that character which it still holds, of being among the first in energy, resources, and lofty spirit. It was founded amid hardship and suffering, to secure religious and political freedom; and during its history, at no period has it been found wanting in every effort to preserve and to extend it. The claim of being the first to establish a system of religious toleration, has been made on behalf both of Penn and lord Baltimore; and we all look back with delight to the primitive records of our country, which present to us the pure ecclesiastical systems, which were founded by the amiable and accomplished nobleman, and the sagacious and benevolent quaker. Their conduct has been rewarded by the applause of every age, by the grateful recollection of their countrymen, and by what to them would have been a return still more delightful, the secure happiness of those over whose ancestors

their cares were extended. Yet, it may be remembered, without derogating from their virtues or destroying the benefit of their example, that the means they adopted were those most likely to secure the settlement of the extensive principalities from which their fortunes were derived; that they were possessed of extensive powers, which enabled them calmly to weigh and adopt the form of government which the exigencies of time and situation required; and that they were surrounded by many men differing from them in religious opinions, whose interests could not be neglected. But the settlement of Rhode Island was coeval with that of Maryland, and preceded by many years that of Pennsylvania. It was made by a band of wandering strangers, driven from their homes by religious persecution; poor, unprotected, rude in manners, and with few of the instructions, perhaps none of the accomplishments, of the times. Yet their earliest acts were marked by a christian feeling, a benevolence, and a liberal and tolerant spirit, not exceeded, if equalled, in the early history of our country.

Roger Williams, the founder of the colony, was a learned and popular divine of Massachusetts; throwing aside, however, the puritanical prejudices of the times and the people around him, he contended with vehemence for freedom of conscience in religious worship, insisted that it should be extended to all, even "to Papists and Arminians," and opposed with the whole weight of his character and influence, those laws

which went to destroy their civil rights on account of their conscientious belief. But, to use the expressive language of Mr. Burke, they who in England could not bear being chastised with rods, had no sooner got free from their fetters, than they scourged their fellow-refugees with scorpions. Instead of meeting with encouragement and success, by the promulgation of his opinions, Roger Williams found himself regarded as the enemy of religion; and at last, in the year 1634, he was banished as a disturber of the peace of the church and commonwealth. With a small but hardy band of devoted followers, he sought a refuge among the Narragansett Indians, and found among the rude pagans of the forest, that liberty and repose which were denied him by christian civilization. He was joined from time to time, by other pilgrims; and these children of persecution thus assembled, passed in their wild retreat, by solemn resolve, the earliest and the most solemn declaration of the principles of perfect freedom in religious concerns, that the world had ever known.

It might have been supposed, that thus at a distance from those from whom they differed, and obliged from the nature of their situation to gain a precarious subsistence, and defend the uncertain tenure of their property amid innumerable hardships, they would have been permitted to proceed unmolested by their ancient enemies. It was not so, however. In the year 1643, an expedition was fitted out against them; and their address to "certain men styled commissioners whose

names they knew not," as it is expressed in their own bold language, affords a highly interesting specimen of the character of the colonists and the feeling of the times. "If you come," say they, "to treat us in the ways of equity and peace, together therewith, shaking a rod over our heads, in a band of soldiers; be assured that we have passed our childhood in that point, and are under the commission of the Great God, not to be children in understanding, neither in courage, but to acquit ourselves like men. We strictly charge you hereby, that you set not a foot upon our lands, in any hostile way, but upon your perils, and that, if any blood be shed, upon your heads shall it be: and know, that if you set an army of men upon any part of our land, contrary to our just prohibition therein, we are under command, and have our commission sealed, all ready to resist you unto death. For this is the law of our God, by whom we stand, which is written in all men's hearts, that, if ye spread a table before us as friends, we sit not as men invective, envious, or mal-content, not touching a morsel, nor looking from you, who point us unto our dish, but we eat with you, by virtue of the unfeigned law of relations, not only to satisfy our stomachs, but to increase friendship and love, the end of feastings: so also, if you visit us as combatants, or warriors, by the same law of relations we will resist you unto death." Their courage, however, could not save them from overwhelming force, for a time, aided as it was by the basest treachery.

These sufferings, however, were only temporary, and notwithstanding the efforts of their enemies, they succeeded in continuing their honourable course of conduct; and finally obtained for it the sanction of the government at home. Among the ancient records of the province, preserved in the office of the secretary of the state, is found an entry mentioning this circumstance, and giving evidence of the anxiety which was felt by all that it should be generally known. "At present," states the record, "the general assembly judgeth it their duty to signify his majesty's gracious pleasure, vouchsafed in these words to us, verbatim, viz. That no person within the said colony at any time hereafter, shall be any way molested, punished, disquieted or called in question, for any difference of opinion in matters of religion and do not actually disturb the civil peace of the said colony." And in a letter written to Sir Henry Vane, in England, about the same period, we find the following sentence, which forcibly illustrates the feelings of the colonists as to religious, and the effects of those feelings, as to civil concerns. "We have long drunk," they say, "of the cup of as great liberties as any people we can hear of under the whole heavens. We have not only been long free together with all English, from the yokes of wolfish bishops and their popish ceremonies, against whose grievous oppressions God raised up your noble spirit in parliament; but we have sitten down quiet and dry from the streams of blood, spilt by the war in our native country. We have not felt

the new chains of the Presbyterian tyrants, nor in this new colony have we been consumed with the over-jealous fire of the (so called) godly and Christian magistrates. We have not known what an excise means. We have almost forgot what tythes are, yea, or taxes either to church or common weal."

It is scarcely necessary to say that where religious liberty thus existed, civil freedom was not wanting. They must indeed exist together, nor can one long be securely maintained without the other. This was eminently the case in Rhode Island, where in early times, the same daring spirit and undaunted courage was displayed in the maintenance of their political as their ecclesiastical rights; and when at length a regular charter was procured, it gave, under the form of a corporation, all the essentials of a well tempered democracy. The king, after he granted it, virtually excluded himself from any interference with it. He had no vice-roy, he had no veto on the laws of the colony, his actual or constructive presence was not endured, his power felt hardly at all, his influence rarely, but always benignantly and beneficially. In the first session of the assembly under that charter, and indeed before it had passed through all the ceremonies of a royal grant, that topic of controversy was anticipated and settled, which a century afterwards convulsed the world. In March, 1663, in an act for declaring the privileges of his majesty's subjects, it was enacted, "that no tax shall be imposed or required of the colonies. but by the act of the general assembly."

When Andross, under the commission of James II. called for the surrender of the charter of the colony, it was indignantly and peremptorily refused; and the people asserted and preserved all the rights which had been handed down to them from their ancestors. In the early part of the last century, we find them still acting on the same resolute principles; when the mother country was in the right, the colonists were full of energy and enthusiasm in her support; but when she attempted any of those encroachments, under which all the colonies suffered more or less, long before the revolution, there were not found wanting several of the most illustrious citizens, ready to vindicate the province and preserve its rights.

It is among these men, and about this period, that we meet with the name of ELLERY, destined at a subsequent time to become still more illustrious, by being connected not with the quarrels of a small and thinly settled colony, but with the struggles of a vast empire. Mr. William Ellery was descended from a family originally of Bristol, in England, which settled in the latter part of the seventeenth century at Newport, in Rhode Island. That he took a prominent and active part in the general affairs of the province, and particularly in the politics of the times, is a matter of traditional notoriety, but there are no or few authentic memorials by which we can obtain much certain information relative to him. Indeed, the epitaph still existing on his tomb stone, at Newport, is almost the only one we have been able to dis-

cover, and from that it would appear that he was a graduate of Harvard college, which he left in 1722. He is represented as an honest, successful merchant, consulting the interest of his country not less than his own, in the acquisition of wealth. He held successively the offices of judge, senator and lieutenant governor of the colony, and died in 1764.

WILLIAM ELLERY, the son of this gentleman, and the subject of the following memoir, was born at Newport, on the twenty-second of December, 1727. His early education he received chiefly from his father, who devoted to it much time and sedulous attention. When he had arrived at the age requisite for his admission into a university, he was sent to Harvard college, an institution which even at that early period had obtained the celebrity which it still continues to enjoy. Here he remained until the twentieth year of his age, and during his collegiate course bore the character of a zealous student; not, however, indisposed to partake of the amusements natural to his years, and to which the vivacity of his disposition inclined him. The Greek and Latin languages were the favourite objects of his pursuit; these he studied with great fidelity, and made himself so good a scholar in them, that during all the engagements and bustle of his subsequent life, he retained, not merely his fondness for them, and general acquaintance with classical literature, but much critical accuracy and correct grammatical knowledge. In the year 1747, he commenced bachelor of arts and left Cambridge. Imme-

diately on his return to Newport, he set himself to the study of the law, to the practice of which he was afterwards admitted. At that period Newport was one of the most populous and flourishing towns in the British colonies; and the opening for a young man of talents and industry was sufficient to gratify ambition and secure success. It still retains, in the beauty of its situation, the quiet and small, but polished circle of its society, and the objects of taste and interesting recollection with which it is surrounded, much to charm a stranger, who cannot view without regret, the ravages of war, nor cease to lament, that in the revolutionary struggle, such a scene should have been the particular object of British vengeance.

Mr. Ellery pursued the practice of the law, for about twenty years, devoting himself to it, during that period, with great zeal. Few particulars, however, of this part of his life have descended to us, lost as they have been, in the lapse of time, or obscured by subsequent events of more general interest than the details of domestic duties. He succeeded, however, in attaining the two objects which are most dear to a man of honourable ambition and independent feelings, a competent fortune, and that rank and esteem among his fellow citizens, which, while it secured their affection, taught them to look up to him with confidence in times of difficulty.

Of these feelings he was soon destined to receive a decided proof. The aggressions of the mother country were becoming every day more violent, and all

prudent and thinking men, began to look round and inquire what was to be the result. Rhode Island, it is true, had little to complain of individually, at least less direct oppression had been extended to her, than to some of her sister colonies. This arose, not from any particular kindness on the part of the British government, but from the nature of her political institutions and the circumstances of her early settlement, which we have already had occasion to detail and explain. But though thus safe individually, she did not look with less alarm and indignation on the arbitrary measures under which provinces, near to her in territory, and nearer in political and social connexions, were suffering, and she was well aware, that although the less direct relation subsisting between her own government and the mother country, prevented interference on the same pretexts or in the same manner, yet if the same hostile disposition prevailed, reasons for assailing her would not be found wanting. It was with these views and acting under these principles, that the government of Rhode Island had, at an early period, opposed with great firmness, the attempts of the British ministry to curtail the trade of the colonies with the West India Islands; and afterwards, about the year 1765, had caused to be printed a pamphlet or manifesto, in which they expressed in strong terms, their disapprobation of the arbitrary measures adopted by the mother country.

It was not, however, in pamphlets only, that Rhode Island displayed her spirit and sense of wrong; she was the first to assert, by her actions, a determination to maintain her rights; and the two great scenes, which led the way to actual resistance, were acted in Narragansett bay. Of these, the first was the attack at Newport, on the seventeenth of June, 1769, of the armed revenue sloop Liberty, whose captain had been guilty of some oppressions and enormities. She was attacked by a band of unknown people, who loosened her cables and let her drive ashore on the point, where they cut away her masts, scuttled her, carried both her boats into the upper part of the town, and burned them under the Liberty tree, which they had recently erected. The second was the affair of the Gaspee, which occurred on the ninth of June, 1772; and in which was shed the first blood, that stained our revolutionary contest. This act, indeed, may be fairly considered as the commencement of the revolution; and if there be any peculiar honour in having accidentally led the way in a contest, which the other colonies would have been equally ready to begin, that honour may be fairly assigned to Rhode Island. There seems, indeed, to exist among some writers of different states, an anxiety to secure to their own citizens, what is looked upon as a circumstance of peculiar self-gratulation; when in fact it was probably the result merely of chance, and would have been of no practical utility, had it not been in full accordance with the general feelings and intentions of all the

colonists. This has been peculiarly the case in Virginia and Massachusetts; but it really appears to us, that Rhode Island may fairly dispute with them the honour they have assumed. At any rate, it has called forth the notice of one of her citizens, who, in an interesting address lately delivered, has given us much valuable information relative to her early history, and thus notices the subject to which we have alluded.

“We are obliged to read in our own American books, disquisitions, almost controversial, on the question, who gave the first impulse to the ball of the revolution, as some in degrading metaphor have chosen to express the thought. I have been compelled to listen upon this topic, to inflated declamation, rather than just argument, from grave senators, on the question, whether Virginia or Massachusetts struck the first and decisive blow. The debate, in feigned mutual deference, and sweet complacency, always proceeded on the thought, that those two most important and meritorious states, solely began, sustained and accomplished the revolution. That all the other states had hardly an interest or participation. Rhode Island and the Gaspee it was always convenient to forget. It is from foreign and impartial historians, that we are reminded of the relative importance of that deed which first impressed a bloody hue on our proceedings, and doomed its perpetrators, if the virtue of the country could have permitted their detection, to irremissible death.” The event created a general alarm among the royal party throughout the

provinces ; they looked on it as an evidence of a determined spirit, which previously they had not believed to exist ; and they resolved to quell it, if possible, by the most vigorous measures. Soon after its occurrence, governor Huteson thus wrote to commodore Gambier—" Our last ships carried you the news of the burning of the Gaspee schooner at Providence. I hope if there should be another like attempt, some concerned in it may be taken prisoners and carried directly to England. A few punished at execution-dock, would be the only effectual preventive of any further attempts." In another letter to secretary Pownall, dated August the twenty-ninth, 1772, he says, " People in this province, both friends and enemies to government, are in great expectations from the late affair at Rhode Island, of burning the king's schooner, and they consider the manner in which the news of it will be received in England, and the measures to be taken, as decisive. If it is passed over without a full enquiry and due resentment, our liberty people will think they may with impunity commit any acts of violence, be they ever so atrocious, and the friends to government will despond, and give up hopes of being able to withstand the faction. The persons who were the immediate actors, are men of estate and property in the colony. A prosecution is impossible. If ever the government of that colony is to be reformed, this seems to be the time, and it would have a happy effect, in the colonies which adjoin it." Again, September the second, 1772, he writes

to Samuel Hood, Esq. that—"Captain Linzee can inform you of the state of Rhode Island colony better than I can. So daring an insult as burning the king's schooner, by people who are as well known as any who were concerned in the last rebellion, and yet cannot be prosecuted, will certainly rouse the British lion, which has been asleep these four or five years. Admiral Montague says, that lord Sandwich will never leave pursuing the colony, until it is disfranchised. If it is passed over, the other colonies will follow the example."

But these efforts of the enemies of American rights proved as vain as their threats; the colony was not to be so easily disfranchised; nor were the other provinces deterred from following the same bold example. As the British ministry became more violent in their conduct, the people of Rhode Island became more resolute and determined. In the year 1774, they carried their opposition to the government, and their open resistance still farther than the destruction of a royal vessel. They rose, as the British lawyers said, from common felony to high and atrocious treason. As soon as the proclamation, prohibiting the importation of arms from England, was known there, they dismantled the king's fort at Newport, and took possession of forty pieces of cannon. All the leading men, not only had it at heart, but avowed the same sentiment as that contained in general Greene's letter to governor Ward, then a member of the first congress, dated on the fourth June, 1774, at the camp on

Prospect hill. "Permit me," says he then, "to recommend from the sincerity of my heart, ready at all times to bleed in my country's cause, a declaration of independence, and call upon the world and the great God who governs it, to witness the propriety and rectitude thereof."

As soon as they heard of the massacre of their countrymen in the bloody affair of Lexington, on the evening of the very day on which the intelligence arrived, they determined at all hazards to defend their fellow citizens with their lives and fortunes. In spite of the evasions and attempts to dissuade and interrupt them, which were made by the governor and lieutenant governor, within three days after the battle they poured into Massachusetts, a large detachment of militia hastily collected. In the same year they raised and sent into actual service twelve hundred regular troops; and they afterwards equipped three state regiments during the war. When it is recollected that the population of Rhode Island at this period, did not exceed fifty thousand persons, it will be acknowledged, to be an instance of no common energy and resource.

As soon as the idea had been suggested of a general meeting of delegates from all the provinces, by the formation of a continental congress, Rhode Island cheerfully fell in with the proposition, and sent two of her most distinguished citizens, governor Hopkins and Mr. Ward, to represent her in that venerable body. In her instructions to these gentlemen, we find

nothing expressed of that anxious desire to conciliate the British government, which is visible in those of some of the other colonies—not indeed that any were disposed to surrender their liberties, whatever might be the peril, yet some were certainly more desirous than others, that no opening should be given to accuse them of defection from their union with the mother country. Rhode Island simply directed her delegates to “meet and join with the commissioners or delegates from the other colonies, in consulting upon proper measures to obtain a repeal of the several acts of the British parliament, for levying taxes upon his majesty’s subjects in America, without their consent, and particularly an act lately passed for blocking up the port of Boston, and upon proper measures to establish the rights and liberties of the colonies, upon a just and solid foundation.”

Finding, however, that nothing short of resolute measures, would be of any avail, it was determined by the province, that her delegates should carry to the congress which met in the spring of 1776, the strongest powers to adopt them; and in order that they might not want the sanction of her actions, as well as her declarations, she anticipated congress in the assertion of independence, for by a solemn act of her general assembly, she dissolved all connexion with Great Britain, in the month of May. She withdrew her allegiance from the king, and renounced his government forever, and, in a declaration of indepen-

dence, put down in a condensed, logical statement, her unanswerable reasons for so doing.

To fulfil her wishes, to carry out the plans which she had thus commenced, Rhode Island selected as her representatives, her former delegate, governor Hopkins, and WILLIAM ELLERY, the subject of this notice. Ever since Mr. Ellery had been engaged in the practice of the law, he had been very prominent in the vigorous and patriotic measures, adopted to resist the British government; there was scarcely an important transaction of the time in which he had not borne a leading part; and we have greatly to regret that we have been unable to obtain any thing more, than a few public notices of a man, whose private history and opinions would have done honour to himself, and adorned the annals of his country. Fully impressed with the solemn trust delegated to him, and prepared to assert and support in their fullest extent, the wishes and views of his constituents, he took his seat in congress on the fourteenth of May, 1776; being authorized and empowered to consult and advise with the other delegates, upon the most proper measures for promoting and confirming the strictest union and confederation between the said United Colonies, for exerting their whole strength and force to annoy the common enemy, and to secure to the said colonies their rights and liberties, both civil and religious, whether by entering into treaties with any prince, state, or potentate, or by such other prudent and effectual ways and means as should be de-

vised and agreed on ; and, in conjunction with the delegates from the said United Colonies, or the major part of them, to enter into and adopt all such measures, taking the greatest care to secure to the colony, in the strongest and most perfect manner, its established form, and all the powers of government, so far as related to its internal police and conduct of its own affairs, civil and religious. They were also instructed and directed, to exert their utmost abilities, in carrying on the just and necessary war, in which they were engaged against cruel and unnatural enemies, in the most vigorous manner, until peace should be restored to the colonies, and their rights and liberties secured upon a solid and permanent basis.

By referring to the journals of congress, we find that while Mr. Ellery remained in that body, he was a member of many important committees, and it is well known that he was a very active and influential member of the house. He was on the committee appointed to consider the ways and means of establishing expresses between the several continental posts ; on that to consider what provision ought to be made for such as are wounded or disabled in the land or sea service ; on the treasury committee ; on a grand committee, consisting of one delegate from each state ; who had authority to employ proper persons to purchase, in their respective states, a sufficient number of blankets and woollens fit for soldiers' clothes, and to take the most effectual and speedy methods for getting such woollens made up, and dis-

tributed among the regular continental army, in such proportion as would best promote the public service: and also to purchase all other necessary clothing for the soldiers, in such proportion, as they judged, upon the best information, would be wanted; on the committee on marine affairs, of which he was always a particularly useful and active member.— Indeed, it was the wish of his state, that in this respect her delegates should take a high ground in congress, and urge on that body the propriety, and in their present circumstances, the evident advantage of giving to the war a naval cast. Distinguished for her commercial marine, and for the enterprize and intrepidity of her mariners, she felt the necessity and urged the expediency of a naval military exertion. The first little fleet, the gerin of our present naval character and fame, was commanded by a native Rhode-Islander, commodore Ezek Hopkins, who surprized New Providence, captured the governor, lieutenant governor, and other officers of the crown, seized a hundred pieces of cannon, and carried off all the munitions of war from the island.

It was during this session of congress, too, that Mr. Ellery affixed his name to the declaration of independence; and his fine bold signature is in striking contrast with the tremulous characters of his colleague, whose limbs trembled with age and illness, while his spirit was as bold and his intellect as vivid as any of those around him. He was fond, in his later years, of relating the events and characteristic

anecdotes of the times about which we are speaking, and had they been preserved, they would have afforded a rich fund of interest to our own and future generations; but unfortunately, even tradition herself has retained but few of them, and, as in many other instances, we are left to cold generalities, where it would be delightful to dwell on minute incidents. He often spoke of the signing of the declaration; and he spoke of it as an event, which many regarded with awe, perhaps with uncertainty, but none with fear. "I was determined," he used to say, "to see how they all looked, as they signed what might be their death warrant. I placed myself beside the secretary, Charles Thomson; and eyed each closely as he affixed his name to the document. Undaunted resolution was displayed in every countenance."

During the year 1777, we find Mr. Ellery still a member of congress, not less useful than before. Following up the peculiar wishes and views of his state, he continued to pay great attention to naval affairs, and early in the year we find him appointed on a committee, to which seem to have been intrusted all the admiralty transactions of the government; they were appointed to hear and determine upon appeals brought against sentences passed on libels in the courts of admiralty in the respective states, agreeably to the resolutions of congress; and the several appeals, when lodged with the secretary, were to be by him delivered to them for their final determination. Among other duties assigned him this year, we may mention that

of devising ways and means to support the continental currency and replenish the exhausted treasury; that of affording aid and assistance to officers who had been taken prisoners and released on parole; superintending the commercial affairs of the country; investigating the unfortunate occurrences which attended the capture of Ticonderoga; preventing the admission into offices of trust of persons secretly hostile to the government; and various others, requiring great attention and industry. To these we may add a plan relative to his own state, brought forward by the marine committee, of which we have seen he was a member, and no doubt at his instance. It is thus set forth in the journals of congress: "If upon due consideration jointly had by the navy board for the eastern department, and the governor and council of war for the state of Rhode Island, and for which purpose the said navy board are directed to attend upon the said governor and council of war, the preparing fire-ships be judged practicable, expedient and advisable, the said navy board immediately purchase, upon as reasonable terms as possible, six ships, or square-rigged vessels at Providence, in the state of Rhode Island and Providence Plantations, the best calculated for fire-ships; that they employ proper persons to fit and prepare the said fire-ships with all possible expedition; that the said navy board provide proper materials for the same, and employ a proper captain or commander, one lieutenant and a suitable number of men for each of the said ships or vessels,

of approved courage and prudence ; and that notice be given to all the commanders of the continental ships and vessels in the port of Providence, to be in readiness to sail at a moment's warning : that, as soon as the said fire-ships are well prepared, the first favourable wind be embraced to attack the British ships and navy in the rivers and bays of the state of Rhode Island and Providence Plantations : that the officers of the continental navy there favour, as much as possible, this design, and use their utmost efforts to get out to sea and proceed upon such cruise, or to such ports as the said navy board or the marine committee shall appoint or order."

While Mr. Ellery was thus exerting himself for the public good, he was destined also to suffer for it. The British army under general Piggot, had seized Rhode Island, taken possession of Newport, and fortifying themselves in an advantageous position, made it the head quarters of a large portion of their force. With a foreign army thus among them, it is not to be supposed that the whole population of the island did not suffer ; but the vengeance of the officers and soldiers was particularly directed against those who had taken a leading part in the revolutionary conflict, especially the delegates in congress. This Mr. Ellery felt in the injury of much of his property in and around Newport, and the burning of his dwelling house in that place. His ardour, however, in the cause remained unabated, and he determined at all hazards to adhere to the congress, where he believed

himself useful. His old companion in that body, governor Hopkins, had retired, but being solicited by his countrymen to remain, he determined to do so, leaving the protection of his property to their care or to chance.

During the whole of the year 1778, with the exception of a few weeks of the summer passed in Rhode Island, Mr. Ellery was a faithful attendant in Congress, pursuing the same useful course which had marked all his political career. To trace him through this would lead us too much into detail, and it seems proper rather to pass them over in a general notice, than to enter into the minute particulars of events, which were in their nature and consequences connected more with the history of the nation than the private life of an individual. We may, however, mention with just praise, the efforts and arguments of Mr. Ellery in the cause of a portion of his countrymen, who suffered under a mode of warfare equally dishonourable and cruel, that of seizing them in their homes and carrying them off to the enemy. This practice had proceeded to great lengths, so as to render a residence on the sea-board terrifying to the most resolute; and no measures seemed too severe, which could put a stop to such a horrible system. Mr. Ellery therefore urged the subject with all his powers on the attention of congress, and aided by several of the most distinguished members of that body, was fortunate enough to obtain the passage of the following resolution on the subject: "Whereas a

few deluded inhabitants of these states, prompted thereto by the arts of the enemy, have associated together for the purpose of seizing and secretly conveying to places in possession of the British forces, such of the loyal citizens, officers and soldiers of these states, as may fall into their power; and being assisted by parties, furnished by the enemy, have, in several instances, carried their nefarious designs into execution; and such practices being contrary to their allegiance as subjects, and repugnant to the rules of war; Resolved, that whatever inhabitant of these states shall kill or seize, or take any loyal citizen or citizens thereof, and convey him, her or them, to any place within the power of the enemy, or shall enter into any combination for such purpose, or attempt to carry the same into execution, or hath assisted or shall assist therein; or shall, by giving intelligence, acting as a guide, or in any other manner whatever, aid the enemy in the perpetration thereof, he shall suffer death by the judgment of a court-martial, as a traitor, assassin and spy, if the offence be committed within seventy miles of the head quarters of the grand or other armies of these states, where a general officer commands."

In the month of June in this year, Mr. Ellery with the other delegates in Congress, ratified the articles of confederation on behalf of Rhode-Island, having received from their constituents authority so to do.

We have noticed the absence of Mr. Ellery from congress during a part of the summer of this year.

His object in returning home, was not, however, on his private business, but it was to assist and co-operate with some of the patriots of the state, in arranging a plan to drive out the British army stationed there. Among the few of his private documents, of which we have been able to obtain any notice, is a letter written while thus engaged, to his old friend general Whipple, and dated at Dighton on the twenty-sixth of August, 1778 ; it is as follows,—“ Dear sir, before you will receive this, your horse will be at Joshua Sandford’s, the very next farm to the ferry farm, in Bristol. My son, who takes the horse to Sandford’s, will leave this with him, to be transmitted to you by the first opportunity. You will account with him for his keeping your horse at Bristol. The expense of getting him there, I will inform you when my son returns.

“ Notwithstanding the French fleet hath deserted you, yet still I hope to eat tautaug with you in Newport. The island must not be relinquished. If it should, how inglorious to our arms—how destructive to the state of Rhode Island! But I will not harbour so disgraceful an idea. In full confidence that such an assault will be made upon the enemy’s lines, as will convince the world, that the infant states of America are able to go alone, and count D’Estaing that we can do without him, I continue to be, with great esteem, &c.”

Circumstances, however, did not permit the execution of a design, thus resolutely formed ; for it was

found after the desertion of the harbour of Newport by the French fleet, that the British were receiving constant supplies, so as to render them considerably superior in men and resources to the Americans. It was therefore wisely resolved to quit the lines which they had formed around Newport; which they did on the night of the twentieth of August. General Sullivan retreated with great order; but he had not been five hours at the north end of the Island, when his troops were fired upon by the British, who had pursued them, on discovering their retreat. The pursuit was made by two parties and on two roads; to one was opposed colonel Henry B. Livingston, to the other John Laurens, aid-de-camp to general Washington, and each of them had a command of light troops. In the first instance, these light troops were compelled by superior numbers to give way; but they kept up a retreating fire. On being re-inforced, they gave their pursuers a check, and at length repulsed them. By degrees the action became in some respects general, and near twelve hundred Americans were engaged. The loss on each side was between two and three hundred.

On the following day, a cannonade was kept up by both armies, but neither chose to attack the other. The British waited for a reinforcement, which they every moment expected, and general Sullivan was on the watch for the first favourable moment to withdraw his troops from the island. Throughout the day he continued to take those measures which were

calculated to produce an impression of his being determined to maintain his ground. About six in the afternoon of the thirtieth, his orders to prepare for a retreat were given, and his whole army crossed over, and had disembarked on the continent, about Tiverton, by two in the morning, without having created in the enemy the slightest suspicion, that he had contemplated the movement which was now completed. The troops were stationed along the coast from Tiverton to Providence.

Never was retreat more fortunate. The next day sir Harry Clinton arrived, and the return of the American army to the continent would have become impracticable.

The conduct of Sullivan was highly approved by the commander in chief, and by congress. A resolution passed in that body, declaring his retreat to have been "prudent, timely, and well conducted." They also voted their thanks to the general and the army under his command, for their fortitude and bravery, in the action of the twenty-ninth of August.

Thus ended the expedition on Rhode Island, the success of which had been generally considered certain. Its failure was indeed unfortunate, but it was to be attributed to one of those accidents which so often derange military plans; and however much it is to be regretted that the count D'Estaing deemed it his duty to remove his fleet from Narragansett bay, his subsequent conduct proves that he entertained towards this country, feelings full of gallantry and kind-

ness. Shortly after the failure of the expedition Mr. Ellery returned to Philadelphia, and resumed his seat in congress.

In January, 1779, Mr. Ellery was appointed by congress, a member of a large committee, to which was entrusted the delicate task of arranging and settling some diplomatic difficulties which had occurred among the commissioners sent by the United States to Europe; and received at the same time full authority to enter into the whole subject of our foreign relations. This was speedily followed by his being made chairman of a committee to take into consideration, the distresses of many of the inhabitants of his own state, caused by the occupation of it by the British, and he brought into congress a strong report on the subject, which induced them to pass the following resolution: "Whereas the delegates of the state of Rhode Island and Providence Plantations, in pursuance of an express vote of the general assembly of the said state, have represented to congress that many of its inhabitants, especially those who have come off from the island of Rhode Island, must inevitably perish unless they are speedily supplied with the necessaries of life, and have in the strongest terms requested us to recommend to the states of Connecticut and New York, to repeal their acts laying an embargo on provisions, so far as respects supplying the said inhabitants with provisions by land: Resolved, that the president write to the governors of the states of Connecticut and New York,

requesting them to afford such supplies of flour and other provisions, for the distressed inhabitants of the state of Rhode Island and Providence Plantations, as their necessities call for, so far as circumstances will admit, and under such regulations as may best answer the end proposed."

During his attendance on congress, this year, and it was with very little interruption, constant, Mr. Ellery devoted much of his time to the standing committees of which he was a member, especially those relative to appeals and admiralty transactions; this, owing to the loose constitution of the government under the articles of confederation, was absolutely necessary, as it formed in fact, the executive power, and through this medium all the public affairs were transacted. Sometimes, indeed, it led into difficulties, especially when any circumstance occurred which seemed to lead to a conflict between the powers of congress and of the individual states; and the arrangement was often one of delicacy and importance. Such had nearly been the case during the present year, relative to some proceedings of the admiralty court of Pennsylvania; and on its coming to the knowledge of congress, it was without delay referred to a committee, of which Mr. Ellery was a principal member. In reporting afterwards on the subject, he laid before the house a succinct statement of all the facts that had occurred, showed the propriety and indeed necessity that there was of an appeal to the general government, in all cases in which questions

touching our relations with foreign countries might arise; and concluded with a series of propositions, so evidently consistent with the system which had been previously organized, as to meet the immediate approbation of congress, and set the affair entirely at rest. They were as follows: "That congress, or such person or persons as they appoint to hear and determine appeals from the courts of admiralty, have necessarily the power to examine, as well into decisions on facts as decisions on the law, and to decree finally thereon, and that no finding of a jury in any court of admiralty or court for determining the legality of captures on the high seas, can or ought to destroy the right of appeal and the re-examination of the facts reserved to congress: that no act of any one state can or ought to destroy the right of appeals to congress in the sense above declared: that congress is by these United States invested with the supreme sovereign power of war and peace: that the power of executing the law of nations is essential to the sovereign supreme power of war and peace: that the legality of all captures on the high seas must be determined by the law of nations: that the authority, ultimately and finally to decide on all matters and questions touching the law of nations, does reside and is vested in the sovereign supreme power of war and peace: that a control by appeal is necessary, in order to compel a just and uniform execution of the law of nations: that the said control must extend as well over the decisions of juries as judges, in courts for

determining the legality of captures on the sea ; otherwise the juries would be possessed of the ultimate supreme power of executing the law of nations in all cases of captures, and might at any time exercise the same in such manner as to prevent a possibility of being controled ; a construction which involves many inconveniencies and absurdities, destroys an essential part of the power of war and peace entrusted to congress, and would disable the congress of the United States from giving satisfaction to foreign nations complaining of a violation of neutralities, of treaties or other breaches of the law of nations, and would enable a jury in any one state to involve the United States in hostilities ; a construction which for these and many other reasons is inadmissible : that this power of controlling by appeal the several admiralty jurisdictions of the states, has hitherto been exercised by congress, by the medium of a committee of their own members."

In the spring of this year, Mr. Ellery had the painful duty entrusted to him, as chairman of a committee of congress, of exercising, from motives of policy, a course of conduct deeply at variance with his feelings and inclination. The Bermuda islands, placed far in the Atlantic, small, barren and unprotected ; ravaged by the fiercest tempests, and exposed to the incursions of every enemy, had always depended for absolute subsistence on the American colonies. By the war, their intercourse had been destroyed, and reduced to the extremity of distress, they sought from the com-

passion of congress, that aid which distress alone entitled them to receive. Their petition was referred to Mr. Ellery and two other members, who deliberated upon it, with every wish to extend their assistance to the suffering islanders. Finding, however, that British vessels of war were stationed at the island; that it was garrisoned by British troops; and that it was doubtful whether the provisions they might send would ever reach those whose sufferings they were intended to relieve, they expressed their opinion to congress, that so long as Bermuda should continue to be guarded by British ships and garrisoned by British soldiers, how powerfully soever humanity might plead in their behalf, and the disposition of congress incline them to relieve the distresses of Bermuda, yet sound policy and the duty they owed to their constituents, constrained them to refuse a compliance with the request of the memorialists. Whether, however, some incident occurred, which rendered the probability of assistance being more effectual, or the solicitations of the poor islanders were renewed, or for what other cause, is not apparent, yet little more than a week elapsed after this recommendation, when Mr. Ellery brought up one of a different character, and more consonant to his wishes; in it they represented to the house, "that from a reconsideration of the deplorable circumstances of those unhappy persons, who are deprived, as it hath been represented to your committee, of the means of supplying themselves with bread, which are allowed to other inha-

bitants who openly profess their attachment to the enemies of these states, they are of opinion, that it be recommended to the executive powers of the states of Pennsylvania, Delaware, Maryland, Virginia, and North Carolina, respectively, to permit one thousand bushels of Indian corn to be exported from each of the said states, for the relief of the distressed inhabitants of those islands." Congress, however, still deemed the measure inexpedient; fearful that while it did not answer the ends for which it was undertaken, it might involve them in disagreeable results, and interfere with the course which they had hitherto adopted in the conduct of the war. They therefore took the report of the committee into consideration, and after much discussion, resolved that they would not at that time proceed farther in the matter.

We have already alluded to the vivacity and sprightliness of Mr. Ellery's disposition. This was constantly displayed throughout his life; and even in the severest times, he often enlivened the discussions of congress by his ready wit. It is seldom, however, that genius of this kind can be sufficiently or properly appreciated by posterity; arising out of some accident or circumstance of the day, depending on some local or temporary allusion, struck off in the ardour of conversation, it passes away, leaving indeed to the individual from whose happy genius it has sprung, the reputation of a wit, but to those who have not heard it, nothing by which to know or taste its excellence. A singular letter, however, of Mr. Ellery

and Madison, probably written by the former about this time, has fallen into our hands, and it may amuse our readers, to see how sober statesmen cracked their jokes upon one another, amid all the bustle of the revolution. It was written to Mr. Matthews, of South Carolina, Mr. Peabody, of New Hampshire, and general Schuyler, of New York, three delegates who had been sent to head-quarters, as a committee of congress. It is as follows:

“ In Congress, May 5th, 1780.

“ Ye poor devils! shivering on the bleak hills of Morris, how we pity you!—Ho! soldier with your canteen;—view that poor committee man—see him trembling. Hark!—hear his teeth chatter—unable to support himself under the chilling blasts, which, unclothed and unfed, you have endured with invincible perseverance and fortitude:—see him expiring!—he was nursed under a fervid sun, and exposes himself to your nipping gales to bring you some relief. For the sake of G—d, one drop of whiskey for poor Matthews!

“ As for ye sons of the North, ye can get along well enough, especially, if ye can find, now and then, a cup of beer and a little New England.

“ As for our illustrious general, if it were in our choice, for him the rich Maderia should flow in copious streams;—and as for the gallant officers, and faithful brave soldiers under his command, if we had the powers of conversion, we would turn water into

wine, the camp should overflow with that exhilarating and invigorating liquor.

“The last bottle had been broached.—We addressed congress, and used every argument in our power to induce them to order a couple of pipes to be sent to head-quarters, and told them that the general’s wine was entirely exhausted. They doubted. We informed them that we had received a letter from the committee giving us that information. They still doubted, and desired that the letter might be produced. We delivered it with the utmost reluctance. Upon reading it, congress immediately concluded that any persons who would dare to charge us with niggardliness, and threaten to run congress ‘d——ly’ in debt must be d——ly drunk, and utterly refused to send any wine to head-quarters until you should have returned. We wish you had been more guarded in your expressions.—However, we shall for once stretch our power, and send forward two pipes immediately.—You will be pleased to consider soberly the business you have undertaken, and the expectations of congress, and not drink more than three glasses of wine at dinner, and six at supper; and whenever you write to us, do it before breakfast.

“We return your ‘word to the wise,’ and are your’s as you conduct.

W. ELLERY,

Js. MADISON, JR.”

In the year 1781, Mr. Ellery did not take his seat in congress until the nineteenth of November, when he appeared there with his colleague, Mr. Cornell. Before he had been many weeks in the house, the old subject of admiralty jurisdiction again occurred, and he found that it was necessary to form some plan, by which the conflicting interests or feelings of the general government and the separate states, might be less excited. The matter being accordingly referred to him, and two other gentlemen, was taken into consideration with a determination to adopt some measure which would place it eventually at rest, and the following resolution was brought in and passed by congress, with that object. "To render more effectual the provision contained in the ordinance, ascertaining what captures on water shall be lawful, for the capture and condemnation of goods, wares and merchandizes of the growth, produce or manufacture of Great Britain, or the territories depending thereon, in certain cases: Resolved, that it be earnestly recommended to the legislature of each state, to pass acts to be in force during the continuance of the present war, for the seizure and condemnation of all goods, wares and merchandizes of the growth, produce or manufacture of Great Britain, or of any territory depending thereon, which shall be found on land within their respective jurisdictions, unless the same shall have been imported before the first day of March, 1782, or shall have been captured from the enemy."

In the month of February, 1782, we find Mr. Ellery a member of a very important committee, that on a plan for the settlement of public accounts, which at this period of the war had become so greatly deranged as to render a general revision absolutely necessary. The committee brought in a long report, and congress passed several resolutions, conforming with their views. A few days after, as chairman of a committee to whom the subject had been referred, he presented, for the consideration of the house, a plan for instituting and organizing a department of foreign affairs—a branch of government long wanted, and now become absolutely necessary. In the succeeding year, Mr. Ellery had the satisfaction of acting as the organ of congress, in expressing to his noble fellow-citizen, general Greene, their sense and that of his country, for the benefit of his military services. This he did in the following resolutions, offered by a committee of which he was chairman: “Resolved, that two pieces of the field ordnance, taken from the British army at the Cowpens, Augusta, or Eutaw, be presented by the commander in chief of the armies of the United States, to major-general Greene, as a public testimonial of the wisdom, fortitude and military skill which distinguished his command in the southern department, and of the eminent services which amidst complicated difficulties and dangers, and against an enemy greatly superior in numbers, he has successfully performed for his country: and that a memorandum be engraved on the said pieces

of ordnance, expressive of the substance of this resolution. Resolved, that the commander in chief be informed, that major-general Greene hath the permission of congress to visit his family at Rhode Island."

In the year 1784, Mr. Ellery was a member of the committee to whom was referred the definitive treaty of peace with Great Britain, and who recommended its ratification; he also continued zealously his labours on several other committees of importance, especially directing his attention to affairs of marine and finance; and when the grand committee of states was appointed to prepare and report to congress, an ordinance for making the necessary arrangements of the treasury, and for more particularly defining the powers of the board of treasury, and also to revise the institution of the office for foreign affairs, and of the war office, and to report such alterations as they might judge necessary, he was elected as the representative therein of his own state.

The year 1785 was the last during which Mr. Ellery remained a member of the old continental congress, and took a very active part in public affairs. Yet we cannot pass over the notice of his long services in this body, without mentioning one act which attended its close, and which will render him ever dear to the friends of humanity; it was his seconding and supporting, with all his abilities, the following resolution, which was offered by Mr. King: "That there shall be neither slavery nor involuntary servi-

tude in any of the states, described in the resolve of congress of the twenty-third of April, 1784, otherwise than in punishment of crimes, whereof the party shall have been personally guilty : and that this regulation shall be an article of compact, and remain a fundamental principle of the constitutions between the thirteen original states, and each of the states described in the said resolve of the twenty-third of April, 1784.”

In the following spring, Mr. Ellery having retired from public life, was elected by congress a commissioner of the continental loan office for the state of Rhode Island ; and soon after, by his own fellow citizens, chief justice of their superior court ; a station, however, which he did not long retain. A few years after, and immediately on the organization of the federal government, he received from his old friend general Washington, the appointment of collector of the customs for his native town of Newport, and in that office he quietly spent the remainder of his days. Not desirous of wealth, the small revenues of his situation, added to what he had been able to save from neglect and destruction during the war, though from these he had severely suffered, afforded him a competence, and he passed happily and delightfully through the calm evening of a life, whose morning and noon had been devoted to the labours of industry, virtue and patriotism. In small things he maintained the character he had won in greater, for in the whole of the period during which he held

his office in the customs—and it was thirty years—such was his prudence and punctuality, that the government suffered by the loss of but one bond, for two hundred dollars, and on that he had exercised the uncommon caution of taking five sureties.

His death, which occurred on the fifteenth of February, 1820, was in unison with his life; and, as the circumstances have been related by a distinguished gentleman of Rhode Island, intimately acquainted with him, they present a picture as interesting as has ever been framed by romance, or handed down to us in the annals of ancient times. His end was, indeed, that of a philosopher. In truth, death, in its common form, never came near him. His strength wasted gradually for the last year, until he had not enough left to draw in his breath, and so he ceased to breathe. The day on which he died, he got up and dressed himself, took his old flag-bottomed chair, without arms, on which he had sat for more than half a century, and was reading Tully's Offices in the Latin, without glasses, though the print was as fine as that of the smallest pocket Bible. The physician stopped in on his way to the hospital, as he usually did; and, on perceiving that the old gentleman could scarcely raise his eye-lids to look at him, took his hand, and found that his pulse was gone. After drinking a little wine and water, the physician told him his pulse beat stronger. "O! yes, doctor, I have a charming pulse. But," he continued, "it is idle to talk to me in this way. I am going off the stage of life, and it is a

great blessing that I go free from sickness, pain and sorrow." Sometime after, his daughter, finding he had become extremely weak, wished him to be put to bed, which he at first objected to, saying he felt no pain, and there was no occasion for his doing so. Shortly afterwards, however, fearing he might possibly fall out of his chair, he told them they might place him upright in the bed, so that he could continue to read. They did so, and he continued reading Cicero very quietly for some time; presently they looked at him and found him dead, sitting in the same posture, with the book under his chin, as a man who becomes drowsy and goes to sleep.

The preceding sketch of the incidents of Mr. Ellery's life, will be sufficient to enable a reader to form a just estimate of his character and excellence; and with this it might be sufficient to commit this memoir, which can pretend to little merit, to the world. We have however been fortunate enough to obtain from one, who knew him well and long, some information which may tend more fully to develop his disposition and virtues, and with a summary of these, authentic as they are, we shall close our notice of his well spent life. A firm whig under the colonial government, and of the Washington school under the federal, he was always attached ardently to a free, efficient, impartial, protecting government.—He studied the scriptures with reverence, diligence and a

liberal spirit; feeling their value, seeking for the truth, and aiming at the obedience they require.

He was indeed tenacious of his own opinion; and some might have thought him obstinate where he was inflexible, and rash where he had been most patient and careful; and perhaps he was not always free from asperity towards others; and the calmness of his later years may have appeared to those who had long known him, more as the fruit of self-watchfulness, mellowed by age, than of a naturally gentle temper. But never was there a man more earnest for the right of others to their own judgment, more indignant at the pretensions of any man, or any set of men, to lord it in matters of religious or political opinion, or more happy at seeing all truth brought to the trial of fair discussion.

He was fond of profound study and of elegant literature, exercising his powers to the end of life upon the works of distinguished writers in theology, intellectual philosophy, and political economy; continuing his acquaintance with the best Latin works, of which he was always fond, and amusing himself with such fictions especially as abounded in humour, and such poetry as was distinguished for wit, elegance, close sense, and exact description.

He is understood to have been very intimate with the distinguished men of the time he was in public life, and to have been highly valued by them for his excellent judgment, sound principle and fine colloquial powers and social spirit.—He was but little in

the habit of alluding to his public services ; but his memory supplied him with anecdotes of others, with which he was always ready to instruct or entertain, and his narratives and sketches were marked with singular distinctness and spirit, and often with the finest humour.—He was always averse from display, as to all that concerned himself ; and so little did he seem to be conscious of the important part he had acted in the affairs of his country, that one, who knew only his parental tenderness, would hardly have believed that he was ready at any moment to part with all, for the cause he had engaged in. While attending upon his duties in congress, he received accounts of the death of a child, and in a letter to a friend, after speaking of this affliction, and expressing his grief and his sympathy with his distant family, he applies to himself and to the cause he had so deeply at heart, words too awful to be lightly used by any man. “ He that loveth father or mother, he that loveth son or daughter more than liberty, is not worthy of her.”—His quiet disregard of notoriety is well shown in his reply, about fourteen years since, to a friend who had alluded to his being in congress at the time of Chatham’s celebrated eulogy—“ Probably, I was a member of congress, when Chatham eulogized that body, and possibly I might have been vain enough to have snuffed up part of that incense as my due ; but the more I have known of myself, the more reason I have had not to think too highly of myself. Humility rather than pride becomes such creatures as we

are. Those who knew him only during the last twenty or thirty years of his life, speak of the religious serenity with which he looked upon the world and its convulsions; estimating and using aright its good and evil, and fearing little from man, either as to himself or nations. "The Lord reigneth," were the words with which he usually ended whatever he had to say, of public sufferings and dangers here and abroad.

To the young he was dear, for good, cheering counsel, and almost youthful sympathy. His mind and affections never seemed to grow old, but only to ripen with age. His conversation never lost its humour, richness and variety—its freedom and temperate earnestness, and the originality of a thoroughly sincere and natural mind; nor his advice its authority; nor his opinions the marks of wide and deliberate observation and thought. It was a privilege to be with him; and next only to that, to enjoy his familiar correspondence. This, we believe, was almost confined to his connexions. We have seen but few of his letters; of which thousands, perhaps, are still preserved, though he frequently expressed a wish, some years before his death, that they might be destroyed. They are said to be remarkably happy specimens of letter-writing. They were written, principally, after he had retired from public life, but are full of observations upon the past as well as the present, and marked with the same variety of sedateness and mirth, and wisdom and domestic interest, which were observable in his conversation. His grave or tranquil

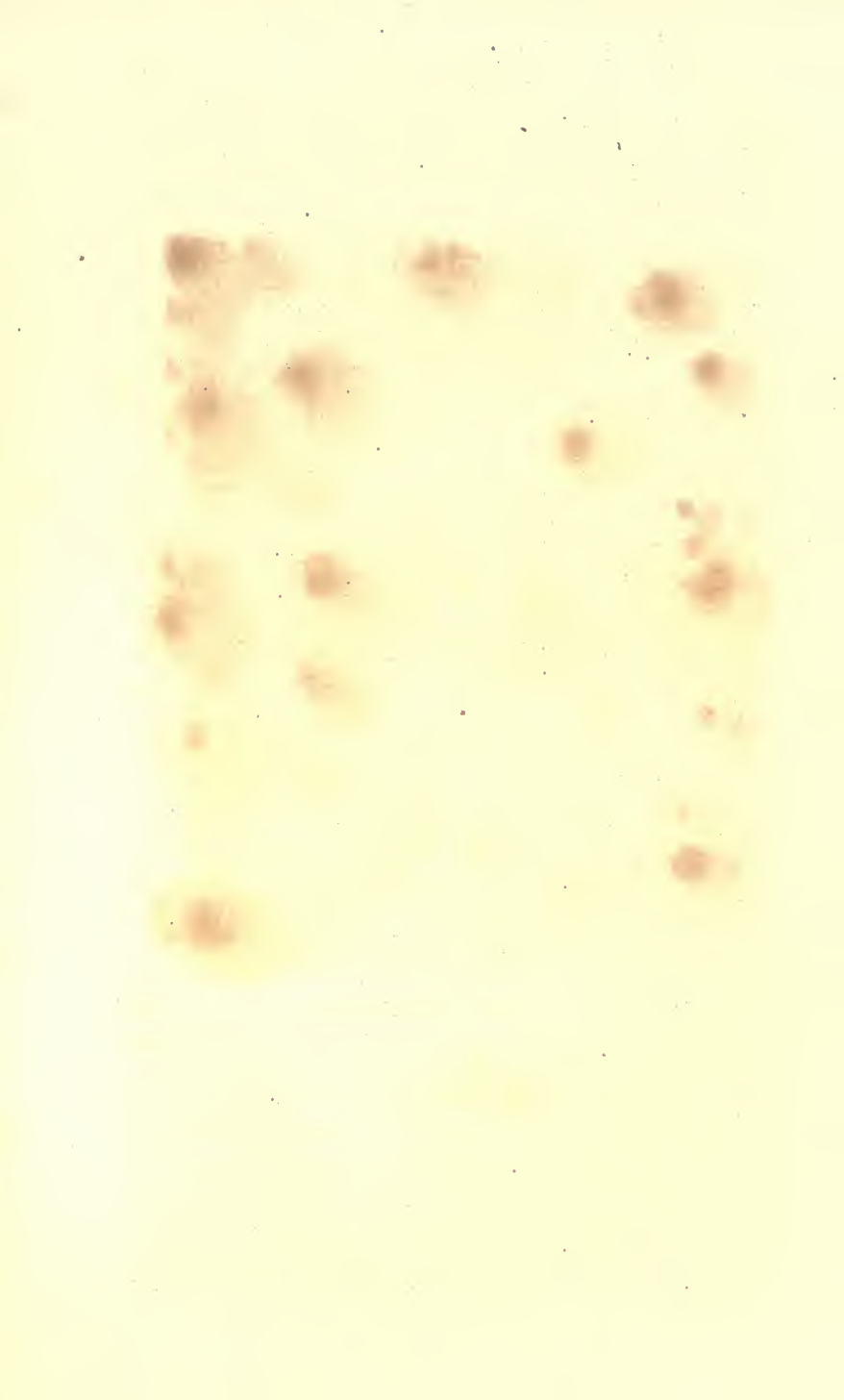
manner, always so becoming in age, gave proper weight to his serious remarks, and sometimes had an air of indescribable archness or covert humour, when he allowed it to run into his lighter conversation or writings. He continued to correspond with some of his young relatives till the close of his days. Only three weeks before his death, he wrote a long letter, containing remarks on Latin prosody; on the faults of public speakers at the present day, with expressions of the kindest and most familiar interest in his friends and their concerns, written too in a strong, close hand, that might be expected from one in middle life.

In stature, he was of moderate height, his person neither spare nor corpulent, but indicating perfect health, and an easy mind. His head and features were large and impressive. He was not fond of bodily activity, and always walked with a regular, measured step, as if he were consulting his ease, as far as he could, in doing a thing for which he had small relish. His mind kept pace with the world; his courtesy and hospitality could not have altered but for the worse; but his habits of life, his dress, and many things that belong to one's comfort, and yet may not be worth enumerating, appear to have undergone little if any change for years, and to have shown, as well as the cast of his conversation, that he was of another generation.

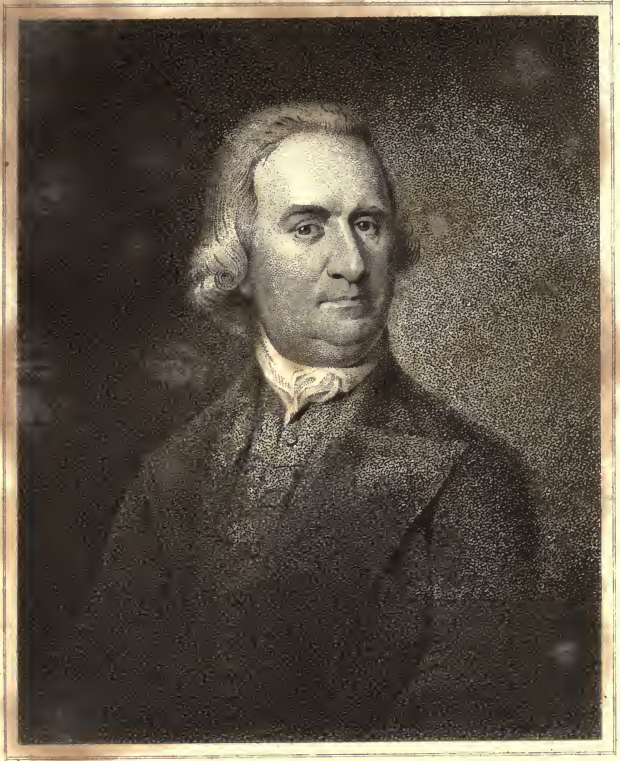


SAMUEL ADAMS.

VOL. IX.—Q O







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Drawn and Engraved by J.B.Longacre from a Painting by Copley.

SAMUEL ADAMS.

WITH the names of Washington, Jefferson, and Franklin, stands inseparably united that of Adams; and they form together the brightest constellation which illumines the revolutionary annals of our country. It was the last, however, alone, which was borne by two individuals, each perhaps equally conspicuous and equally serviceable in the cause, though differing much in their course of life, their opinions and their dispositions.

SAMUEL ADAMS, who is the subject of the present notice, was, without doubt, one of the most remarkable men connected with our history, and there is scarcely a great event of the revolution, with which he was not in some way connected. He was born at Boston, in the province of Massachusetts, on the twenty-second of September, 1722, and was descended from a family of much respectability which had settled in New England, at a very early period. His father was for many years a representative for the town of Boston, in the Massachusetts house of assembly, in which he was annually elected till his

death. He was long a justice of the peace and a selectman of the town ;—possessed considerable wealth, and was respected and esteemed.

Samuel Adams acquired his preparatory knowledge at the celebrated Latin grammar school of Mr. Lovell, where he was remarkably attentive to his studies. His conduct was similar while he was at college, and during the whole term he had to pay but one fine, and this was for not attending morning prayers, in consequence of having overslept himself. By a close and steady application, he acquired much classical and scientific knowledge.

At an early age, he was admitted a student at Harvard University. In 1740, and 1743, the respective degrees of bachelor and master of arts were conferred upon him. On the latter occasion, he proposed the following question for discussion, “whether it be lawful to resist the supreme magistrate, if the commonwealth cannot be otherwise preserved?” He maintained the affirmative of this proposition, and thus evinced, at this early period of life, his attachment to the liberties of the people. While he was a student, his father allowed him a regular and fixed stipend. Of this, he saved a sufficient sum, to publish, at his own expense, a pamphlet, called “Englishmen’s Rights.”

His father intended him for the bar, but this determination, at the solicitation of his mother, was altered, and he was put an apprentice to the late Thomas Cushing, an eminent merchant. For this profession

he was ill adapted, and it received but a small share of his attention. The study of politics was his chief delight. At this time he formed a club, each member of which agreed to furnish a political essay for a newspaper called the Independent Advertiser. These essays brought the writers into notice, who were called, in derision, "the whipping post club."

His limited knowledge of commerce rendered him incompetent to support himself by that pursuit. His father, however, gave him a considerable capital, with which he commenced business. He had not been long in trade when he credited one of his countrymen with a sum of money. This person, soon after, met with heavy calamities, which he represented to Mr. Adams, who never demanded the amount, although it was nearly half the value of his original stock. This and other losses, soon consumed all he had.

At the age of twenty-five, his father died, and as he was the eldest son, the care of the family and management of the estate, devolved upon him.

Notwithstanding this circumstance, however, he still was unable to resist the strong inclination for political affairs, which he had felt from his earliest youth; and instead of devoting himself to his business, occupied much of his time both in conversation and writing, on the political concerns of the day. He was strongly opposed to governor Shirley, because he thought the union of so much civil and military power in one man, dangerous to the liberties

of the province, but he was the friend of his successor Pownall, who assumed the popular side.

In 1763, the Massachusetts agent in London transmitted intelligence, that it was contemplated by the ministry, to "tax the colonies for the purpose of raising a revenue, which was to be placed at the disposal of the crown." This was soon made publicly known, and produced great excitement. It was expected, that governor Bernard would immediately call the Massachusetts house of assembly together, on the reception of this interesting intelligence, and that such instructions would be sent to the agent, as might have a tendency to prevent those contemplated proceedings; but, to the surprise of the public, it was not called together till the latter end of that year, and no particular notice was taken of the subject. It thus remained till the next election of members to the Massachusetts assembly, in May, 1764. It was then customary for the people to give written instructions, when they elected their representatives, in which they expressed their views and opinions of public affairs; and for this purpose committees were chosen. On this occasion, Mr. Adams was one of the five, who were selected by the people of Boston. The instructions were written by him, his autographical manuscript of which is now perfect. His draught was reported, accepted by the town, and at that time published in the Boston Gazette; and, what is the most material fact, it was the first public document which denied the supremacy of the British parlia-

ment, and their right to tax the colonists without their own consent ; and which contained a direct suggestion of the necessity of a united effort on the part of all the provinces.

After alluding to the evils already produced, by the laws which had actually passed, Mr. Adams adds, on behalf of the citizens of Boston, " But our greatest apprehension is, that these proceedings may be preparatory to new taxes : for, if our trade may be taxed, why not our lands ? Why not the produce of our lands, and every thing we possess or use ? This, we conceive, annihilates our charter-rights to govern and tax ourselves. It strikes at our British privileges ; which, as we have never forfeited, we hold in common with our fellow subjects, who are natives of Britain. If taxes are laid upon us, in any shape, without our having a legal representation where they are laid, we are reduced from the character of free subjects to the state of tributary slaves. We, therefore, earnestly recommend it to you to use your utmost endeavours to obtain, from the general court, all necessary advice and instruction, to our agent, at this most critical juncture. * * * * We also desire you to use your endeavours that the other colonies, having the same interests and rights with us, may add their weight to that of this province ; that by united application of all who are aggrieved, all may obtain redress."

In the year 1764, there was a private political club in Boston, where decisive measures originated, which

gave a secret spring and impulse to the motions of the public body. Mr. Adams was one of the patriotic conclave. It was the determination of this confederacy, to resist every infringement of their rights. The stamp act was a flagrant violation of them, and to suffer it quietly to be carried into effect, would establish a precedent, and encourage further proceedings of a similar nature. Mr. Adams was not averse to the manner in which the people evinced their determinate opposition, by destroying the stamped papers and office in Boston; but he highly disapproved the riots and disorders which followed, and personally aided the civil power to put a stop to them.

Indeed, even at this early period, so entirely had he become a public man, and discovered such a zealous, watchful and unyielding regard for popular rights, that he excited the general attention of the patriotic party. He became a conspicuous favourite of the people, and the leader in all the popular proceedings of the day; and as a further proof of their confidence, he was elected in the year 1765, a representative of the town of Boston, in the general court or house of assembly of Massachusetts. From that period, throughout the whole revolutionary struggle, he was one of the most unwearied, efficient and disinterested supporters of American rights and independence.

Nor was it in his legislative capacity alone that he showed himself to be so. He wrote a number of able essays on the subject of the disputes between Great

Britain and her colonies, and he suggested several plans for more effectually opposing her arbitrary designs. To him is the nation indebted for the idea of assembling the first congress at New York, which led ten years after, to the continental congress, and finally to the union and confederation of the provinces. And to him also is to be attributed the design of the non importation system, which he persuaded nearly all the merchants in the colony to adopt and adhere to.

In the legislature he became conspicuous very soon after his admission into the house, of which he was chosen clerk; it being then the practice to take that officer from among the members. He obtained the same kind of influence, and exercised the same indefatigable activity in the affairs of the legislature, that he did in those of his town. He was upon every committee, had a hand in writing or revising every report, a share in the management of every political meeting, private or public, and a voice in all the measures that were proposed, to counteract the tyrannical plans of the administration. The people soon found him to be one of the steadiest of their supporters, and the government was convinced, that he was one of the most inveterate of their opponents.

When his character was known in England, and it was also understood that he was poor, the partisans of the ministry, who felt annoyed by the "disturbances in America," resorted to the usual practice when the clamorous grow too troublesome, and proposed

that he should be quieted by a participation in some of the good things they were enjoying. Governor Hutchinson, in answering the inquiry of a friend, why he was not silenced in this manner, wrote with an expression of impatient vexation,—“Such is the obstinacy and inflexible disposition of the man, that he never can be conciliated by any office or gift whatever.” This information was received with a ludicrous kind of incredulity, evidently occasioned by a confusion of ideas at the anomaly of such a disposition, compared with the personal and daily experience of all around them.

It is reported, however, and generally believed, that the proposal was actually made to Mr. Adams; that it was made after the dissolution of the general assembly of 1769, soon after its first session; that, in consequence of this last circumstance, he was deprived of a stipend allowed to him by the representatives, as the clerk of the house, which, though small, was still a great part of his support. But yet, in this critical condition, he reprobated the offer, choosing rather to subsist by individual, or common beneficence, or even perish, than to sacrifice the cause of truth, and betray the liberty of the people. Such a circumstance as this, should have caused the administration to examine more accurately into the actual condition of the colonies. When so many leading individuals in this country, were not to be conciliated by the favours of government, when they spurned at places and pensions, and withstood the allurements

of fortune; such conduct, which is not the natural temper of mankind, indicated that there was some deep and powerful cause for the dissatisfaction that prevailed. It is a portentous symptom in affairs, when men of strong character forego the common views of ambition, and disregard the acquisition of wealth, which in ordinary times is as salutary to society in its general tendency, as it is advantageous to the individual. This state of things, which occurred in the colonies during the epoch of their resistance to the designs of England, required the most cautious treatment, and prompt alleviation: the existence of such enthusiasm is replete with danger to the ruling power, and wherever it is not effectually relieved, will bring about, as it did in America, the crisis of a revolution.

In the year 1770, the feelings of Mr. Adams were aroused by an event which will ever remain prominent in the annals of the revolution, as the first instance of bloodshed that occurred between the British troops and the colonists. A large body of soldiers had been for some time quartered in Boston, and many quarrels had occurred between them and the inhabitants. It is true, the minds of the people were greatly irritated, and that some individuals were abusive in their language towards the military. But whenever examination was carefully made, it appeared, that the soldiers were the first to assault, to threaten, and to apply contemptuous epithets to the inhabitants. It might have been prudent and wise

without making the meditated assault. Perhaps, the more discreet among them were satisfied of the impropriety of their conduct, or were fearful of the consequences of another attack. On the third, in the afternoon, several of the soldiers, armed with large clubs, went again to the rope walk; and after much insolent and threatening language, struck some of the workmen.

In consequence of these various quarrels, and of the violent threats of the soldiers, that they would be avenged, when, in truth, they had been the rude aggressors, the minds of the citizens were greatly alarmed on the fourth and fifth; and so apprehensive were many, of an attack from the military, as threatened, that in some instances they required their children and the female part of their families to remain at home during the evening. In the early part of it, several soldiers were seen parading the streets in different parts of the town, armed with heavy clubs, seeking, undoubtedly, for an opportunity to assault, if not to murder, the peaceable inhabitants. Two persons, passing in the vicinity of the barracks, were attacked and beaten, without offering any provocation; but being thus violently assailed, they stood on their defence, and gave the soldiers some blows in return. Three of the citizens, coming from the south part of the town, were also met by a number of soldiers, and rudely stopped in their walk, and threatened with violence. The soldiers, who had made an assault near the spot where the regiment

was stationed, on being struck by the citizens whom they attacked, fled to the barracks; but soon again, with many others, sallied forth into the streets, armed with swords and cutlasses, and uttering threats of vengeance and death; pretending that their comrades had been first assaulted, when, in truth, the several attacks were first made by them on the defenceless citizens. Thus enraged and thirsting for blood, they roamed about until they reached the street in the centre of the town, where the custom house was situated, guarded by a centinel, and on the south side of which, near the state house, a military guard was stationed, under command of captain Preston. Here, and on their way, they met different small parties of the inhabitants, who, alarmed by previous threats, and by the tumults of the evening, were abroad, to witness, as was natural, the transactions of which many were apprehensive; or to prevent, if possible, the excesses of an unfeeling soldiery. These also were assaulted, and some of them were too brave and fearless to be attacked, without making resistance for self-preservation.

These events increased the alarm and apprehensions of the citizens, in this part of the town; a bell near the head of the street was rung, and many thereupon collected at this place. Nor was it strange, that some of them were so irritated as to be eager for an attack upon the centinel; the party of soldiers before mentioned having returned to the barracks. Many of them moved down the street, on the north

side, as far as the spot where he was posted. He was accosted with abusive and insolent epithets, and pelted, by some of the young and imprudent persons present, with snow balls. And if it were proper to separate this particular affair from the assaults which had been already made by the soldiers; as above related, it must be admitted as probable, that the first attack, though without design to perpetrate any deadly act, was from the inhabitants. Yet, even in this case, which, however, seems not a just view of this murderous transaction, there was much evidence to show, that the centinel was the first to give a blow, though he was assailed by abusive language.

The tumult, which ensued, induced the centinel to send a person immediately to the guard house; who gave information, that he had been assaulted, and needed protection. Captain Preston, accompanied by eight armed soldiers, soon went from the guard house, and forced their way through the crowd of citizens to the station of the centinel. In this rapid and forcible passing of the soldiers, several of the inhabitants were struck by them; but whether with design, it would be difficult to decide. Snow balls, and probably other matter, were again thrown by some of the citizens: and directly, the word was audibly given, "fire; damn you, fire." The soldiers obeyed the rash and fatal command; and eleven of the people, assembled, certainly without any design to commit excesses, even if we should allow their col-

lecting was an imprudent act, were slain or wounded on that dreadful evening.

It is difficult to express the mingled emotions of horror and indignation excited by this fatal catastrophe. The intelligent citizens earnestly solicited the lieutenant governor, the same evening, for the immediate removal of the troops from the town. He was greatly agitated on the occasion; apprehensive, probably, of some personal attack or insult from an injured and highly indignant populace: he requested the commanding officer of the troops, that the greatest care be taken to keep them within their barracks.

On the following morning, a public meeting of the citizens of Boston was called, and Mr. Adams addressed the assembly with that impressive eloquence which was so peculiar to himself. The people, on this occasion, chose a committee to wait upon the lieutenant governor, to require that the troops be immediately withdrawn from the town. The mission, however, proved unsuccessful, and another resolution was immediately adopted, that a new committee be chosen to wait a second time upon governor Hutchinson, for the purpose of conveying the sense of the meeting in a more peremptory manner. Mr. Adams acted as chairman. They waited on the lieutenant governor, and communicated this last vote of the town; and, in a speech of some length, Mr. Adams stated the danger of keeping the troops longer in the capital, fully proving the illegality of the act itself; and enumerated the fatal consequences that would

ensue, if he refused an immediate compliance with the vote. Lieutenant governor Hutchinson, with his usual prevarication, replied, and roundly asserted, that there was no illegality in the measure; and repeated, that the troops were not subject to his authority, but that he would direct the removal of the twenty-ninth regiment. Mr. Adams again rose. The magnitude of the subject, and the manner in which it was treated by lieutenant governor Hutchinson, had now roused the impetuous feelings of his patriotic soul. With indignation strongly expressed in his countenance, and in a firm, resolute and commanding manner, he replied, "that it was well known, that, acting as governor of the province, he was, by its charter, the commander in chief of his majesty's military and naval forces, and as such, the troops were subject to his orders; and if he had the power to remove one regiment, he had the power to remove both, and nothing short of this would satisfy the people; and it was at his peril, if the vote of the town was not immediately complied with, and if it were longer delayed, he, alone, must be answerable for the fatal consequences that would ensue." This produced a momentary silence. It was now dark, and the people were waiting in anxious suspense for the report of their committee. A conference in whispers followed between lieutenant governor Hutchinson and colonel Dalrymple. The former, finding himself so closely pressed, and the fallacy and absurdity of his arguments thus glaringly exposed, yielded up his positions,

and gave his consent to the removal of both regiments; and colonel Dalrymple pledged his word of honour, that he would begin his preparations in the morning, and that there should be no unnecessary delay, until the whole of both regiments were removed to the castle.

The formation of committees of correspondence between the different colonies, has always been looked upon as one of the leading and most important causes of the revolution; at least of that union of feeling and action which gave it rise, and ensured eventual success. The origin of measures which produce such great results, after their excellence becomes developed, is naturally claimed by those in whose minds they were first conceived; and it is often difficult to settle, with satisfaction and fairness, the claims of contending genius. This has been the case with the measure we are now considering. Virginia asserts the design to have first arisen with her truly great statesman, Richard Henry Lee; while Massachusetts, with equal confidence, sees its origin in the efforts and intelligence of Samuel Adams. Perhaps—and indeed private correspondence of both, which has come to light, seems to establish the fact—the idea may have arisen with each of these patriotic statesmen, who had long been reflecting on the aspect of things and probable events, and anxiously considering the course which their country might be called on to pursue. When the crisis of affairs required it, each in his own state proposed the measure, of the

utility of which he had been long convinced ; and the whole country, catching at the plan, pursued it with zeal and experienced its utility. It was first adopted in Massachusetts, at a town meeting, held in Boston, at the close of the year 1772, where it was suggested by Mr. Adams.

The rapid increase of Mr. Adams' popularity and influence, rendered it every day more desirable to the royal party, that he should be detached from the popular cause, and the efforts to gain him over to which we have already alluded, had been frequently renewed, though without success ; threats and caresses had proved equally unavailing. There is indeed, prior to the year 1773, no certain proof that any direct attempt was made upon his virtue and integrity, although a report had been publicly and freely circulated, that it had been unsuccessfully tried by governor Bernard. Hutchinson knew him too well to make the attempt ; but governor Gage was empowered to try the experiment. He sent to him a confidential and verbal message by colonel Fenton, who waited upon Mr. Adams, and after the customary salutations, stated the object of his visit. He said, that an adjustment of the disputes which existed between England and the colonies, and a reconciliation, were very desirable, as well as important to the interests of both. That he was authorized from governor Gage to assure him, that he had been empowered to confer upon him such benefits as would be satisfactory, upon the condition, that he would engage to

cease in his opposition to the measures of government. He also observed, that it was the advice of governor Gage to him, not to incur the further displeasure of his majesty ; that his conduct had been such as made him liable to the penalties of an act of Henry VIII. by which persons could be sent to England for trial of treason, or misprision of treason, at the discretion of a governor of a province ; but by changing his political course, he would not only receive great personal advantages, but would thereby make his peace with the king. Mr. Adams listened with apparent interest to this recital. He asked colonel Fenton if he would truly deliver his reply as it should be given. After some hesitation he assented. Mr. Adams required his word of honour, which he pledged. Then rising from his chair, and assuming a determined manner, he replied, " I trust I have long since made MY PEACE WITH THE KING OF KINGS. No personal consideration shall induce me to abandon the righteous cause of my country. Tell governor Gage, IT IS THE ADVICE OF SAMUEL ADAMS TO HIM, no longer to insult the feelings of an exasperated people." With a full sense of his own perilous situation, marked out as an object of ministerial vengeance, labouring under severe pecuniary embarrassment, but fearless of personal consequences, he steadily pursued the great object of his soul, the liberty of the people.

Irritated at this failure of his plans, and exasperated at an individual who continued to pursue his own ideas of right, unawed by threats and unallured by

promises, governor Gage, in a moment of indignation, issued the celebrated proclamation which, had nothing else done it, would have immortalized those against whom it was directed, while it only bound them more firmly to the cause they had adopted, and rallied all around them as devoted champions. "I do hereby," he said, "in his majesty's name, offer and promise his most gracious pardon to all persons, who shall forthwith lay down their arms, and return to the duties of peaceable subjects, excepting only from the benefit of such pardon, SAMUEL ADAMS, and JOHN HANCOCK, whose offences are of too flagitious a nature, to admit of any other consideration, but that of condign punishment." A war of words is always useless, but in this instance, it seems to have been marked with that peculiar folly, which so strangely characterized the acts of the British party, in the early periods of our revolution. Such an act conferred honour on those, who were thus pointed out as the objects of peculiar vengeance, and they who had resisted every temptation, and been followed by their countrymen, through every peril, were little likely to be daunted or deserted on account of an empty threat.

Indeed, the persecutions of the royalists only strengthened the efforts of the patriots. They encouraged the ardour of the resolute, and they gave spirit and determination to the timid. Whenever Mr. Adams perceived a disposition to yield, or to adopt measures unsuited to the emergency, he exerted all his influence and talents, and usually suc-

ceeded in his views. When he once found the house of assembly less resolute than usual, he thus addressed his friend, Mr. Warren, of Plymouth, "do you keep the committee in play, and I will go and make a caucus by the time the evening arrives, and do you meet me." Mr. Adams secured a meeting of about five principal members of the house at the time specified, and repeated his endeavours for the second and third nights, when the number amounted to more than thirty. The friends of the administration knew nothing of the matter. The popular leaders took the sense of the members in a private way, and found that they would be able to carry their scheme by a sufficient majority. They had their whole plan completed, prepared their resolutions, and then determined to bring the business forward; but before they commenced, the door keeper was ordered to let no person in, or suffer any one to depart. The subjects for discussion were then introduced by Mr. Adams, with his usual eloquence on such great occasions. He was chairman of the committee, and reported resolutions, for the appointment of delegates to a general congress to be convened at Philadelphia, to consult on the general safety of America. This report was received with surprise and astonishment by the administration party. Such was the apprehension of some, that they were apparently desirous to desert the question. The door keeper seemed uneasy at his charge, and wavering with regard to the performance of the duty assigned to him. At this

critical juncture, Mr. Adams relieved him, by taking the key and keeping it himself. The resolutions were passed, five delegates, consisting of Samuel Adams, Thomas Cushing, Robert Treat Paine, John Adams, and James Bowdoin, were appointed, the expense was estimated, and funds were voted for the payment. Before the business was finally closed, a member made a plea of indisposition, and was allowed to leave the house. This person went directly to the governor, and informed him of their high-handed proceedings. The governor immediately sent his secretary to dissolve the assembly, who found the door locked. He demanded entrance, but was answered, that his desire could not be complied with, until some important business, then before the house, was concluded. Finding every method to gain admission ineffectual, he read the order on the stairs for an immediate dissolution of the assembly. The order, however, was disregarded by the house. They continued their deliberations, passed all their intended measures, and then obeyed the mandate for dissolution.

Mr. Adams took his seat in the first continental congress, at Philadelphia, on the fifth of September, 1774, and continued a member of that body, until the year 1781. To trace him through the various important duties which he performed in that long interval, would be to repeat much of what has hitherto been related, and indeed to write the history of congress. Assuming, from his unwearied zeal and firm

tone of character, much of the same prominence which he had displayed at home, he became a mover, or important coadjutor in almost all the business of the time. It is incredible indeed, if the journals of congress be any guide, how various and how numerous were his services, and with what unabated ardour he continued to bestow them to the last. He reminds us of the indefatigable puritans of early days, and indeed in many traits of character he strongly resembled them, who could devote an attention and length of time to the pursuit of their favourite schemes, which seems beyond probability to the less enthusiastic tempers of the present age.

Leaving, therefore, the details of his congressional life, to memoirs more extensive, we shall present the reader with extracts from some of his letters, during this period, which have been preserved. While they sufficiently record the incidents that occurred, they will develop the character of the man, and give us an insight into his individual feelings, more valuable than the collection of facts, which rather belong to general history.

In writing to his friend Richard Henry Lee, from Boston, on the twenty-first of March, 1775, he thus refers to the conduct of the British troops stationed there, ready for the acts of hostility to which they soon afterwards proceeded. "Though the number of the troops are diminished, the insolence of the officers (at least some of them) is increased. In private rencounters, I have not heard of a single instance of

their coming off other than second best. I will give you several instances of their behaviour in public. On the sixth instant, there was an adjournment of one of our town meetings, when an oration was delivered in commemoration of the massacre on the fifth of March, 1770. I had long expected that they would take that occasion to beat up a breeze, and, therefore, (seeing many of the officers present before the orator came in,) as moderator of the meeting, I took care to have them treated with civility, inviting them into convenient seats, &c. that they might have no pretence to behave ill; for it is a good maxim, in politics as well as in war, to put and keep the enemy in the wrong. They behaved tolerably well until the oration was finished, when, upon a motion made for the appointment of another orator, as usual, they began to hiss, which irritated the assembly to the greatest degree, and confusion ensued; they, however, did not gain their end, which was apparently to break up the meeting, for order was soon restored, and we proceeded regularly and finished the business. I am persuaded, that, were it not for the danger of precipitating a crisis, not a man of them would have been spared. It was provoking enough to the whole corps, that while there were so many troops stationed here, with the design of suppressing town meetings, there should yet be one for the purpose of delivering an oration to commemorate a massacre perpetrated by soldiers, and to show the danger of standing armies; they, therefore, it seems, a few days after, vented

their passion on a poor, simple countryman, the state of whose case is drawn up by himself, and sworn to before a magistrate, as you will see by the enclosed ; thus you see, that the practice of tarring and feathering, which has so often been exclaimed against, by the tories, and even in the British house of commons, as inhuman and barbarous, has, at length, been revived by some of the polite officers of the British army, stationed in this place, professedly to prevent riots. Some gentlemen of the town, waited on the general on this occasion ; he appeared to be angry at it, and declared that he knew nothing about any such design ; he said, that he, indeed, heard an irregular beat of the drum, (for they passed by his house,) but thought they were drumming a bad woman through the streets ! This, to be sure, would not have been a riot. The selectmen of Billarica, an inland town, about thirty miles distant, to which the abused man belonged, have since made a remonstrance to the general, a copy of which is enclosed. The general promised them that he would inquire into the matter, but we hear nothing more about it. Some say, that he has lost the command over his officers, and is afraid of displeasing them ; how this may be I cannot say.”

Mr. Adams was too sagacious not to perceive to what results, conduct such as this would lead ; he was one of those, who saw very early that, “after all, we must fight”—and having come to that conclusion, there was no citizen more prepared for the

extremity, or who would have been more reluctant to enter into any kind of compromise. After he had received warning at Lexington, in the night of the eighteenth of April, of the intended British expedition, as he proceeded to make his escape through the fields with some friends, soon after the dawn of day he exclaimed, "this is a fine day!" "very pleasant, indeed," answered one of his companions, supposing he alluded to the beauty of the sky and atmosphere—"I mean," he replied, "this day is a glorious day for America!" His situation at that moment was full of peril and uncertainty, but throughout the contest, no damage to himself or his country ever discouraged or depressed him.

Impressed with such feelings and acting under them, he soon perceived the necessity of breaking off all connexion with the mother country, and determining resolutely to support the principles we had adopted. "I am perfectly satisfied," he says, in a letter written in April, 1776, from Philadelphia to a friend in Massachusetts—"I am perfectly satisfied of the necessity of a public and explicit declaration of independence. I cannot conceive, what good reason can be assigned against it. Will it widen the breach? This would be a strange question after we have raised armies and fought battles with the British troops;—set up an American navy, permitted the inhabitants of these colonies to fit out armed vessels to capture the ships, &c. belonging to any of the inhabitants of Great Britain; declaring them the enemies of the

United Colonies, and torn into shivers their acts of trade, by allowing commerce, subject to regulations to be made by ourselves, with the people of all countries, except such as are subject to the British king. It cannot, surely, after all this, be imagined, that we consider ourselves, or mean to be considered by others, in any other state, than that of independence. But moderate whigs are disgusted with our mentioning the word! Sensible tories are better politicians. They know, that no foreign power can consistently yield comfort to rebels, or enter into any kind of treaty with these colonies, till they declare themselves free and independent. They are in hopes, by our protracting this decisive step, we shall grow weary of the war, and that for want of foreign connexions and assistance, we shall be driven to the necessity of acknowledging the tyrant, and submitting to the tyranny. These are the hopes and expectations of the tories, while moderate gentlemen are flattering themselves with the prospect of reconciliation, when the commissioners that are talked of shall arrive. A mere amusement indeed! What terms of reconciliation are we to expect from them that will be acceptable to the people of America? Will the king of Great Britain empower his commissioners even to promise the repeal of all, or any of his obnoxious and oppressive acts? Can he do it? or if he could, has he even yet discovered a disposition which evinced the least degree of that princely virtue—clemency?"

In the year that succeeded the declaration of independence, however, the prospects of the country became exceedingly gloomy, and even the boldest were sometimes led to fear they had gone farther than their resources authorised them to do. It was at this critical juncture, after congress, whose members were reduced to twenty-eight individuals, had resolved to adjourn to Lancaster, that some of the leading gentlemen accidentally met in company with each other. A conversation in mutual confidence ensued. Mr. Adams, who was one of the number, was cheerful and undismayed at the aspect of affairs, while the countenances of his friends were strongly marked with the desponding feelings of their hearts. The conversation naturally turned upon the subject which most engaged their thoughts. Each took occasion to express his opinions on the situation of the public cause, and all were gloomy and sad. Mr. Adams listened in silence till they had finished. He then said, "Gentlemen, your spirits appear to be heavily oppressed with our public calamities. I hope you do not despair of our final success?" It was answered, "That the chance was desperate." Mr. Adams replied, "if this be our language, it is so, indeed. If we wear long faces, they will become fashionable. The people take their tone from ours, and if we despair, can it be expected that they will continue their efforts in what we conceive to be a hopeless cause? Let us banish such feelings, and show a spirit that will keep alive the confidence of the people, rather

than damp their courage. Better tidings will soon arrive. Our cause is just and righteous, and we shall never be abandoned by Heaven while we show ourselves worthy of its aid and protection." His words were almost prophetic. Within a few days, the news arrived of the glorious success of our cause at Saratoga, which gave brightness to our prospects and confidence to our hopes.

The year 1778, produced the attempt on the part of the British government, to divide or distract the colonies by their pretended offers of conciliation. Their drift was immediately perceived by Mr. Adams, and he wrote thus on the subject to his friend Mr. Lee, "Commissioners, we are told, are coming out to treat with us: this is what we had reason to expect; her only design is to amuse us, and thereby to retard our operations, till she can land her utmost force in America. We see plainly, what part we are to take; to be beforehand with her, and by an early stroke, to give her a mortal wound. If we delay our vigorous exertions till the commissioners arrive, the people abroad may, many of them will, be amused with the flattering prospect of peace, and will think it strange if we do not consent to a cessation of arms, till propositions can be made and digested. This carries with it an air of plausibility, but from the moment we are brought into the snare, we may tremble for the consequence. As there are every where artful tories enough, to distract the minds of the people, would it not be wise for the congress, by a pub-

lication of their own, to set this important intelligence in a clear light before them, and fix in their minds the first impression in favour of truth? for I do assure you, it begins to be whispered by the tories, and as soon as they dare to do it they will speak aloud, that this is but a French finesse and that Britain is the only real friend of America. * * * The British court have nothing in view, but to divide by means of their commissioners: of this they entertain sanguine expectations; for I am well assured, that they say they have certain advice, that they have a large party in the congress, almost a majority, who are for returning to their dependency! This cannot be true. Doctor Franklin, in a letter of the second of March, informs me, that America at present stands in the highest light of esteem throughout Europe, and he adds, a return to dependence on England, would sink her into eternal contempt.”

In a letter written not long before he left congress, to the same gentleman, we find the following excellent remarks, on the necessity of preserving unimpaired the dignity of that illustrious body, and filling it with those only whose principles were known and unsullied. “My friend,” he says, “we must not suffer any thing to discourage us in this great conflict: let us recur to first principles without delay. It is our duty to make every proper exertion in our respective states, to revive the old patriotic feelings among the people at large, and to get the public departments, especially the most important of them, filled with men

of understanding and inflexible virtue. It would be indeed alarming, if the United States should entrust the ship in which our all is at stake, with unexperienced or unprincipled pilots. Our cause is surely too interesting to mankind, to be put under the direction of men, vain, avaricious, or concealed under the hypocritical guise of patriotism, without a spark of public or private virtue."

In the year 1781, with the prospects of peace, Mr. Adams began to turn his attention to the objects which ought to be secured by the United States, on an event to attain which she had suffered so much and so long; and with all the peculiar tenaciousness of his character, he determined that those privileges and rights should be explicitly secured, on which the respective interests of various portions of the country depended. He saw clearly, too, the necessity of entering upon the world with those broad views of policy which would enable us to maintain our rights. "Are we soon to have peace?" he writes, in the summer of 1781, to Mr. M'Kean, at that time president of congress; "However desirable this may be, we must not wish for it on any terms but such as shall be honourable and safe to our country. Let us not disgrace ourselves by giving just occasion for it to be said hereafter, that we finished this great contest with an inglorious accommodation. Things are whispered here, which, if true, will cause much discontent. The citizens of this part of America will say, and judge, my dear sir, whether it would not be

just, that the fishing banks are at least as important as tobacco yards, or rice swamps, or the flourishing wheat fields of Pennsylvania. The name only of independence is not worth the blood of a single citizen. We have not been so long contending for trifles. A navy must support our independence; and Britain will tell you that the fishery is a grand nursery of seamen."

And in a letter to the same gentleman, written in the following month, he says, "I take it for granted that a very great majority of the people in each of the United States, are determined to support this righteous and necessary war, till they shall obtain their grand object, an undisputed sovereignty. This must hereafter be maintained, under God, by the wisdom and vigour of their own councils, and their own strength. Their policy will lead them, if they mean to form any connexion with Europe, to make themselves respectable in the eyes of the nations, by holding up to them the benefits of their trade. Trade must be so free to all, as to make it the interest of each to protect it, till they are able to protect it themselves. This, the United States must do by a navy. Till they shall have erected a powerful navy, they will be liable to insults which may injure and depreciate their character, as a sovereign and independent state; and while they may be incapable of resisting it themselves, no friendly power may venture to, or can, resent it on their behalf. The United States must, then, build a navy. They have, or may have,

all the materials in plenty. But what will ships of war avail them without seamen? and where will they find a nursery for seamen but in the fishery?"

After Mr. Adams retired from congress, he continued to receive from his native state, new proofs of her sense of his services, in his appointment to offices of the highest trust. He had already been a member of the convention which formed her constitution, being on the committee which draughted it, and that which framed the address with which it was presented to the people. He afterwards became, successively, a member of the senate, president of that body, and a member of the convention assembled for the ratification of the federal constitution. To this instrument, in its reported form, he had some objections; the principal of which were to those parts that lessened, as he conceived, injudiciously, the powers of the separate states; and he prepared several amendments, which met with the approbation of the convention, and some of which were afterwards incorporated in the constitution itself. His particular speeches have not, unfortunately, been preserved, or we should have had the valuable comment of a strong mind, improved by great experience, on questions deeply interesting to us. His letters, however, occasionally contain remarks, which illustrate his sentiments, and are well worthy the attention of politicians in our own times.

"I hope the federal congress is vested with powers, adequate to all the great purposes of the federal union;

and, if they have such adequate powers, no true and understanding federalists would consent, that they should be trusted with more; for more would discover the folly of the people in their wanton grant of power, because it might, and considering the disposition of the human mind, without doubt, would be wantonly extended to their injury and ruin. The powers vested in government by the people, the only just source of such powers, ought to be critically defined, and well understood; lest, by a misconstruction of ambiguous expressions, and by interested judges too, more power might be assumed by the government, than the people ever intended they should possess. Few men are contented with less power than they have a right to exercise: the ambition of the human heart grasps at more; this is evinced by the experience of all ages."

* * * * *

"I wish to know from you the state of federal affairs as often as your leisure may admit. We organize our state governments, and I heartily wish that their authority and dignity may be preserved within their several jurisdictions, as far as may be consistent with the purposes for which the federal government is designed. They are, in my opinion, petty politicians; who would wish to lessen the due weight of the state governments; for I think the federal must depend upon the influence of these to carry their laws into effect; and while those laws have for their sole object, the promoting the purposes of the federal

union, there is reason to expect they will have the due support of the state authorities.”

* * * * *

“I was particularly afraid, that unless great care should be taken to prevent it, the constitution in the administration of it, would gradually, but swiftly and imperceptibly run into a consolidated government, pervading and legislating through all the states, not for federal purposes only, as it professes, but in all cases whatsoever; such a government would soon totally annihilate the sovereignty of the several states, so necessary to the support of the confederated commonwealth, and sink both in despotism. I know these have been called vulgar opinions, and prejudices; be it so—I think it is lord Shaftsbury, who tells us, that it is folly to despise the opinions of the vulgar; this aphorism, if indeed it is his, I eagerly caught from a nobleman, many years ago, whose writings, on some accounts, I never much admired. Should a strong federalist, as some call themselves, see what has now dropped from my pen, he would say that I am an anti-fed, an amendment monger, &c.; those are truly vulgar terms, invented and used by some, whose feelings would be sorely wounded to be ranked among such kind of men, and invented and used for the mean purpose of deceiving and entrapping others, whom they call the vulgar; but in this “enlightened” age, one should think there was no such vulgar, to be thus amused and ensnared. I mean, my friend, to let you know, how deeply I am

impressed with a sense of the importance of amendments; that the good people may clearly see the distinction, for there is a distinction, between the federal powers vested in congress, and the sovereign authority belonging to the several states, which is the palladium of the private and personal rights of the citizens.”

But Mr. Adams was destined to receive still further proofs of the attachment of his fellow citizens, by being successively raised to the highest honours they could bestow, as lieutenant governor, and governor of the state. In these high offices he preserved and displayed the same manly and firm principles, which he had always expressed; and he especially called to the attention of the people, the careful preservation of those mutual rights which they had yielded and retained at the formation of the federal government. “I shall presently be called upon,” he observes, in one of his inaugural addresses, “as it is enjoined by the constitution to make a declaration upon oath, and I shall do it with cheerfulness, because the injunction accords with my own judgment and conscience, ‘that the commonwealth of Massachusetts, is and of right to be a free sovereign, and independent state.’ I shall also be called upon, to make another declaration with the same solemnity, ‘to support the constitution of the United States.’ I see the consistency of this, for it cannot but have been intended that these constitutions should mutually aid and support each other. It is my humble opinion, that, while the commonwealth

of Massachusetts maintains her own just authority, weight, and dignity, she will be among the firmest pillars of the federal union. May the administration of the federal government, and those of the several states of the union, be guided by the unerring finger of heaven! Each of them, and all of them, united will then, if the people are wise, be as prosperous as the wisdom of human institutions, and the circumstances of human society will admit."

The limits of this sketch will not permit us to enter into a detail of the public measures of Mr. Adams, while he presided over the government of Massachusetts, nor to lay before the reader, those of his public writings which would throw light on his peculiar sentiments, as well as on the general history of the country. This is a subject which could not be entered upon, with justice to him, unless much was introduced, which is foreign to the objects of a work, like the present, and must be reserved for that more extended view of the life and actions of this great man, which is demanded of that country, to which he was so illustrious a benefactor. He continued, indeed, to serve her with undiminished zeal, and it was not until age and bodily infirmities rendered him unfit for service, that he retired to a private life. This retirement, however, he did not long enjoy, but within a few years, passed quietly to his grave. He expired on the third of October, 1803, in the eighty-second year of his age.

Of the peculiar character and dispositions of Mr. Adams, the reader will have formed a tolerably correct opinion from what has been recorded in the preceding pages; and it only remains for us briefly to sum up that of which he has already a general idea. In person he was of the middle size, with a countenance full of expression, and showing the remarkable firmness of his character; in manners and deportment, he was sincere and unaffected; in conversation pleasing and instructive; and in friendship, steadfast and affectionate. As a writer, he was indefatigable when he thought his literary efforts could tend to promote his liberal and patriotic views; and although most of his productions have suffered that oblivion, to which the best efforts of temporary politics are generally destined, those which remain, or which a knowledge is yet preserved, give abundant proof of the strength and fervour of his diction, the soundness of his politics, the warmth of his heart, and the piety and sincerity of his devotion. As an orator, he was peculiarly fitted for the times and circumstances on which he had fallen. His language was pure, concise and impressive; he was more logical than figurative; and his arguments were addressed rather to the understanding than the feelings: yet these he could often deeply interest, when the importance and dignity of his subject led him to give free vent to the enthusiasm and patriotic ardour, with which his heart so often glowed; and if we are to judge by the fairest of all tests, the effect upon his hearers, few speakers

of ancient or modern times, could be named as his superior. As a statesman, the great trait in the character of Mr. Adams, was the unyielding firmness with which he pursued the course which his judgment had determined as the correct one. He possessed an energy of will, that never faltered in the purpose of counteracting the arbitrary plans of the English cabinet, and which gradually engaged him to strive for the independence of the country. Every part of his character conduced to this determination. His private habits, which were simple, frugal, and unostentatious, led him to despise the luxury and parade affected by the crown officers; his religious tenets, which made him loathe the very name of the English church, preserved in his mind the memory of ancient persecutions, as vividly as if they had happened yesterday, and as anxiously as if they might be repeated to-morrow; his detestation of royalty, and privileged classes, which no man could have felt more deeply—all these circumstances stimulated him to persevere in a course, which he conscientiously believed it to be his duty to pursue, for the welfare of his country. The motives by which he was actuated, were not a sudden ebullition of temper, nor a transient impulse of resentment; but they were deliberate, methodical and unyielding. There was no pause, no despondency; every day and every hour, were employed in some contribution towards the main design; if not in action, in writing; if not with the pen, in conversation; if not in talking, in meditation.

The means he advised were persuasion, petition, remonstrance, resolutions; and, when all failed, defiance and extermination, sooner than submission. His measures for redress were all legitimate; and where the extremity of the case, as in the destruction of the tea, absolutely required an irregularity, a vigour beyond the law, he was desirous it might be redeemed by the discipline, good order, and scrupulous integrity, with which it should be effected.

The very faults of his character tended, in some degree, to render his services more useful, by converging his exertions to one point, and preventing their being weakened by indulgence or liberality towards different opinions. There was some tinge of bigotry and narrowness both in his religion and politics. He was a strict calvinist; and probably, no individual of his day had so much of the feelings of the ancient puritans, as he possessed. In politics, he was so jealous of delegated power, that he would not have given our constitutions inherent force enough for their own preservation. He attached an exclusive value to the habits and principles in which he had been educated, and wished to adjust wide concerns too closely after a particular model. One of his colleagues, who knew him well, and estimated him highly, described him with good natured exaggeration in the following manner: "Samuel Adams would have the state of Massachusetts govern the union, the town of Boston govern Massachusetts, and that he should govern the

town of Boston, and then the whole would not be intentionally ill-governed.”

With this somewhat austere spirit, however, there was nothing ferocious, or gloomy, or arrogant in his demeanor. His aspect was mild, dignified, and gentlemanly. In his own state, or in the congress of the union, he was always the advocate of the strongest measures; and in the darkest hour, he never wavered or desponded. He engaged in the cause with all the zeal of a reformer, the confidence of an enthusiast, and the cheerfulness of a voluntary martyr. It was not by brilliancy of talents, or profoundness of learning, that he rendered such essential service to the cause of the revolution; but by his resolute decision, his unceasing watchfulness, and his heroic perseverance. In addition to these qualities, his efforts were consecrated by his entire superiority to pecuniary considerations; he, like most of his colleagues, proved the nobleness of their cause, by the virtue of their conduct: and Samuel Adams, after being so many years in the public service, and having filled so many eminent stations, must have been buried at the public expense, if the afflicting death of an only son had not remedied this honourable poverty.

The first part of the report deals with the general
 condition of the country and the progress of the
 various departments. It is found that the
 country is in a state of general prosperity
 and that the various departments are
 making steady progress. The report
 also mentions the various measures
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APPENDIX.

THOMAS STONE AND SAMUEL CHASE.

AFTER the memoirs of the lives of these two gentlemen had been printed, communications were received from the friends of each, comprising a few additional particulars, which it may be proper to record.

Of Mr. Stone, it is asserted, that in his boyhood, at the age of fifteen, his anxiety to acquire a classical education was so great, as to induce him, contrary to the prejudices of his father, a plain farmer, who set little value on an acquaintance with the Greek or Latin, to be removed, at his own earnest entreaty, from an English school to the school of a Mr. Blaizedel, a Scotchman, who taught the learned languages. Mr. Blaizedel's school was about ten miles distant from his father's residence; but it was his constant habit, until he had made himself conversant with Latin and Greek, to rise at dawn, saddle his horse, and appear in school with the other pupils. An opportunity of acquiring this education, was the only inheritance which he ever received from his parents; although his father, David Stone, was possessed of a large estate in land. According to the opinion then entertained of the rights of primogeniture, Pointon Manor became the property of Samuel, the elder son, of a former marriage; and Thomas, when removed from the school of Mr. Blaizedel, found himself under the necessity of borrowing money in order to prosecute the study of law. This he did in the city of Annapolis, under the auspices of Thomas Johnson, for whom he ever afterwards manifested a filial regard. He commenced the practice of the law in Frederick-town, in Maryland, and after two years he removed to the county of Charles, in the same state. During these two years, he liquidated the debt contracted while acquiring his legal education; and in the year 1768, previous to his re-

moval, he married Margaret Brown, the youngest daughter of Dr. Gustavus Brown, of that county. The only property which this lady possessed, was the sum of one thousand pounds sterling. He was married in his twenty-fourth year, and his practice at that time was neither extensive nor lucrative. After his marriage, he purchased a farm, near the village of Port Tobacco. Upon this farm his family, with four of his infant brothers, resided during our revolutionary struggles. This was the most arduous period of his life. The farm which he had purchased was extensive, but the soil was thin; the courts of justice were no longer open to his professional exertions; and his time and talents were called to the aid of his suffering country.

The following letter, dated the twenty-eighth of April, 1775, was written at Annapolis, while he was a member of the Maryland assembly, and was addressed to Mrs. Stone :

“ We have this day received a confirmation of the unhappy contest between the king’s troops, and the people of New England; and I am afraid it is too true. This will reduce both England and America, to a state to which no friend of either, ever wished to see; how it will terminate God only knows. My heart is with you, and I wish it was in my power to see you, but many gentlemen insist that I should stay to assist in deliberation on those important affairs. I wish to do my duty, and shall be obliged to stay here longer than I expected, but I hope to see you on Sunday, if nothing new occurs.

“ We have accounts, that numbers of people are killed on both sides; which I am apprehensive, will preclude all hopes of a reconciliation between this and the mother country: a situation of affairs, which all thinking men must shudder at.

“ I wished to have heard from you, by post, but presume you thought I would be in Charles before this.

“ People here seem to feel very severely on the present occasion. I have determined to act according to the best of my judgment, rightly; but, in the important and dangerous crisis to which we are reduced, the best may err. Pray God preserve you, and bless our little ones. We are like to see times, which will require all our fortitude to bear up against. We must do our best, and leave the event to him, who rules the affairs of men. I am in haste, most affectionately yours, &c.”

He was one of the commissioners on the part of Maryland, to settle, with others appointed by Virginia, the navigation and juris-

diction of the rivers Potowmac and Pocomoke, and of part of Chesapeake bay.

After serving his first term in congress, he became a member of the Maryland senate in 1777. His services in that assembly, are thus described by a gentleman who sat with him there.

“ He was most truly a perfect man of business; he would often take the pen, and commit to paper, all the necessary writings of the senate, and this he would do cheerfully, while the other members were amusing themselves with desultory conversation. He appeared to be naturally of an irritable temper, still he was mild and courteous in his general deportment, fond of society and conversation, and universally a favourite from his great good humour and intelligence. He thought and wrote much as a professional man, and as a statesman, on the business before him in those characters—he had no leisure for other subjects—not that he was unequal to the task, for there were few men who could commit their thoughts to paper, with more facility or greater strength of argument. There was a severe trial of skill between the senate and the house of delegates, on the subject of confiscating British property. The senate for several sessions, unanimously rejected bills passed by the house of delegates for that purpose; many, very long and tart were the messages from one to the other body, on this subject; the whole of which were, on the part of the senate, the work of Mr. Stone, and his close friend and equal in all respects, the venerable Charles Carroll, of Carrollton.”

In the year 1784, after he had finally relinquished his seat in congress he removed to Annapolis, where his practice became very lucrative and his professional reputation rose to very distinguished eminence. He was employed in many very important causes, and his friend Mr. Chase, afterwards judge Chase, always expressed the greatest satisfaction in having his assistance as a colleague in cases of difficulty. As a speaker, his strength lay in argument, rather than in manner. When he began, his voice was weak, and his delivery unimpressive, but as he became warmed with his subject, his manner improved, and his reasoning was clear and powerful.

He was a man of very strong feelings, and affectionate disposition; and the tenderness of his attachment to his amiable consort, after forming the happiness of a large portion of his life, became the melancholy cause of its early close.

In the year 1776, while he was attending to his public duties in congress, Mrs. Stone visited Philadelphia with him, and as the small-pox was then prevalent in that city, it was thought necessary to protect her from it by inoculation. She was accordingly inoculated, and the mercurial treatment, which was then deemed necessary, was pursued. From this time her health gradually declined. She was afflicted with rheumatism for eleven years, and her skin, which had before been marked with the glow of health, assumed a paleness which can scarcely be imagined by those who did not witness it. During the whole period of her ill health, her husband watched over her with untiring devotedness. But it was beyond the power of human aid to give vigour to her shattered constitution, and on the first of June, 1787, she died in Annapolis, in her thirty-fourth year. This was a death-blow to Mr. Stone. After this he declined all business, both public and private, except such as he deemed necessary to put his affairs in order. He was brought by his friends to his seat in the county of Charles, and there, during the summer after Mrs. Stone's decease, every effort was made to enable him to sustain the loss. But he sunk into a deep melancholy, and to the most soothing attentions of his friends he always answered, that he could not survive his wife. Dr. Brown, and Dr. Craick, who were his physicians, finding little amendment in his spirits, after the lapse of some months, advised him to make a sea-voyage. In obedience to their advice, he went to Alexandria to embark for England. While waiting at that place, for the vessel to sail, he expired suddenly, in his forty-fifth year, on the fifth of October, 1787.

A few days before his death, he wrote a letter of advice to his only son, then a boy, about twelve years old, which as the dying counsels of a virtuous parent, actually in the near-prospect of death, will be read with interest, independent of the claims of the individual to our respect and public gratitude. It is this:

“MY DEAR FREDERICK—I am now in a weak state, about to travel, and probably shall not see you more. Let me intreat you to attend to the following advice which I leave you as a legacy, keep and read it, and resort to it.

“In the first place, do your duty to God in spirit and in truth, always considering him as your best protector, and doing all things to please him; nothing to offend him; and be assured he is always present and knows all your thoughts and actions, and that you will prosper and be happy if you please him, and miserable and unhap-

py if you displease him. Say your prayers every day, and attend divine worship at church regularly and devoutly, with a pious design of doing your duty and receiving instruction. Think more of your soul's health and the next world than of this, and never do wrong on any account. Be honest, religious, charitable and kind, guarded in your conduct, and upright in your intentions.

Shun all giddy, loose and wicked company; they will corrupt and lead you into vice, and bring you to ruin. Seek the company of sober, virtuous and good people, who will always shew you examples of rectitude of conduct and propriety of behaviour—which will lead to solid happiness.

Be always attentive to the advice of your uncles, Doct. Brown and Michael J. Stone, and do nothing of consequence without consulting them. Be respectful to your seniors, and all your friends, and kind to every body. Seek to do all the good you can, remembering that there is no happiness equal to that which good actions afford. Be attentive, and kind, and loving, to your sisters, and when you grow up protect and assist them on all occasions.

Take care not to be seduced by the professions of any person to do what your heart tells you is wrong, for on self-approbation all happiness depends.

Attend to your education and learning, and never let your mind be idle, which is the root of all evil, but be constantly employed in virtuous pursuits or reflections.

Let your aim in life be to attain to goodness rather than greatness among men: the former is solid, the latter all vanity, and often leads to ruin in this and the next world. This I speak from experience.

I commend you to heaven's protection. May God of his infinite mercy protect you, and lead you to happiness in this world and the next, is the most fervent prayer of your loving father."

Mr. Stone was six feet and half an inch in height. His appearance promised both health and strength, but his studious and sedentary habits, acquired in boyhood, and continued through life, had impaired a constitution originally vigorous. He was a taciturn man, of strong feelings, and more remarkable for terseness of style than elegance of diction. He left three children, amply provided for—Margaret, Mildred, and Frederick; of whom Mildred, now Mrs. Daniels, alone survives.

Respecting the eminent patriot, Samuel Chase, the following particulars are to be appended to the sketch of his life in the foregoing volume.

In June, 1783, the legislature of Maryland passed, "an act concerning the stock of the bank of England, belonging to this state;" by which it appears that the state held stock, amounting to twenty-nine thousand pound sterling; besides four hundred and seventy-eight pounds sterling, in the hands of their agents in London, to be invested. The general assembly thought it expedient to take measures to obtain the stock, and by this act, authorized the governor and council to appoint "in the name and behalf of the state some sensible, discreet person, of abilities and address, to be agent and trustee," giving security to the amount of eighty thousand pound. Mr. Chase was selected for the purpose, and entitled to such commission as the governor and council might agree for, not exceeding four per cent. on the net sum, by him received, in full satisfaction for all his trouble, and if he should not be able to obtain the said stock, no expenses to be paid by the state. He proceeded to London, instituted a suit in the high court of chancery of England, for the transfer of the stock, remained there near a year, and there, on the second day of March, 1784, married his second wife, Miss Hannah Kitty Giles, a daughter of Dr. Samuel Giles, of Kentbury, near Hungerford.

He passed his time in the society of the most eminent statesmen and lawyers of that distinguished period; was frequently in company with Fox and Pitt, and was for a week, the guest of the celebrated Edmund Burke, at his house in the country.

It was one of the amusements of his later years to relate to his family and intimate friends the incidents of this agreeable residence in England, and of his intercourse with the remarkable personages that he met there. The government of the country he did not learn to approve, but always spoke of the administration as corrupt, though able.

After placing the affair of the bank stock in the best possible train, he returned home, much impoverished, and commenced the practice of the law anew. His fidelity in the business with which he was charged, is recognized by a "supplement to the act concerning the stock of the bank of England, belonging to this state," passed in November, 1784, ratifying and confirming the bill and suit, instituted by him, in the court of chancery of Great Britain, and authorising him to represent, and act on behalf of the state, in all

matters and things concerning the bank stock, and in his name, to promote the said suit, in the court of chancery of Great Britain, to a final decree;”—investing him with every right, power and authority necessary for the purpose, and engaging to confirm, and abide by such decree as should be made in the same, the said right and power to take place from, and relate to the date of his commission.

He also received a formal approbation of the house of delegates, in the following resolution, viz.

“That it is the opinion of this general assembly of Maryland, that Samuel Chase, Esq. in conducting and negociating the affairs of this state, lately entrusted to his care, as agent, hath manifested great zeal and fidelity, diligence and ability, and a vigilant attention to the honour and interest of this government, and that his said conduct merits, and therefore hath the approbation of this general assembly.”

When in 1786, he removed from Annapolis to Baltimore, he received the following affectionate compliment from the corporation of Annapolis, of which city he had been the recorder. It is of the date of September the seventh :

“Sir—The mayor, aldermen, and common councilmen of the city of Annapolis, impressed with a due sense of the services rendered to this corporation by you, in the capacity of recorder thereof, do take this occasion to assure you of their entire approbation of your conduct, in the performance of the duties of that trust, and to acknowledge your ready exertion at all times to promote the interest and welfare of this city. They sincerely regret the occasion of this address, as your removal from the city of Annapolis will deprive this body of a faithful and able officer, and the city of a valuable citizen. You have their warmest wishes for your happiness and welfare.”

To this address, Mr. Chase of course made a reply ; which was thus expressed : “The address of the mayor, aldermen, and common councilmen of this city, presented me this day, affords me just pleasure, as I flatter myself they speak the genuine sentiments of the citizens. As recorder of the city, duty and inclination urged me to enforce a due obedience to the by-laws, and assist in the framing of ordinances for the regulating the police of the city. In the discharge of this duty I ever received the ready assistance of my brethren on the bench, and of the other members of the corporation, and but a small portion of merit is due to me. My abilities

have been much over-rated by the corporation; I only wish they had been equal to my inclination to serve them.

“As one of the delegates of Annapolis, my public powers were exerted on all occasions to promote the interest and welfare of the city; and supported by my colleagues, my endeavours were in some instances crowned with success. I feel myself amply rewarded by the approbation of the body over whom you have the honour to preside. There can be nothing more agreeable to a public character, than to receive the public approbation of his conduct, from those who speak the collected and unbiassed sense of his constituents; and it is the only reward a free, and virtuous people can bestow, and the only one an honest representative can expect.

“Be pleased to present the corporation my warmest wishes for their prosperity, and I sincerely hope that the city of Annapolis may be for ever distinguished for the harmony and friendship, the benevolence and patriotism of its citizens.”

In the year 1794, some excitement of popular indignation at Baltimore, occasioned a disgraceful riot, in which two men were tarred and feathered in the street. Judge Chase took, on this occasion, a stand highly honourable to his firmness, and resolute determination to assert the supremacy of the law. Holding at this time, the office of chief judge of the criminal court, he took measures for an investigation of the outrage, and caused two men, of very respectable standing, and great popularity with the ruling party, to be arrested as ringleaders.

The court room was crowded with many who had taken active parts in the riot, and hundreds of the same character, were about the court house, with drums and fifes, and with colours flying. The persons arrested, refused to give security to the judge, to appear at the next court—“Then,” said the judge, “you must go to jail.” One of the most opulent citizens proposed himself as surety, but the prisoner refused permitting it, when the judge ordered the sheriff to take him to prison; the sheriff replied that he could not take him; the judge then told him to summon the posse comitatus to his assistance; it was answered, he could get no one to serve,—the judge then said, summon me sir, I will be the posse comitatus, I will take him to jail. A member of the bar, of the first respectability, then addressed the judge, advising him to pass over the affair, and intimating to him, that he apprehended his life and property were in danger. “God forbid,” was the emphatic reply of the judge, “that my countrymen should ever be guilty of so daring an outrage, but, sir, with

the blessing of God, I will do my duty—they may destroy my property, they may pull down my house from over my head, yea, they may make a widow of my wife, and my children fatherless,—the life of one man, is of little consequence, compared to the prostration of the laws of the land—with the blessing of God, I will do my duty, be the consequences what they may.” He gave the parties time to reflect upon the importance and propriety of yielding, and appointed the next day to meet them. It was observed that the morrow would be Sunday—“No better day,” replied judge Chase, “to execute the laws of our country, I will meet you here, and then repair to the house of my God!”—Not obtaining security for their appearance on Sunday, he sent an express to the governor and council, on that day, calling for the support of the state. On Monday, he was waited upon by three of the most wealthy and respectable citizens of Baltimore, to request him to desist, and give up the point, apprehending serious consequences to the city—He replied to them with great warmth, asked if they meant to insult him by supposing him capable of yielding the law to two obstinate men.—They left him, and a few hours after, as the judge was going to court, the persons charged, met him in the street, and consented to give the security. When the court met, the grand jury refused to find a bill against the parties accused, and delivered a presentment against Mr. Chase.

The presentment of the grand jury comprises only two specific charges against the judge. First, of having insulted them by openly censuring the sheriff for having returned so bad a jury. And, secondly, of having violated the bill of rights, by accepting and exercising, at the same time, two different offices, chief judge of the criminal court, and chief judge of the general court of the state.

There is much verbiage in the presentment, but it all amounts to no more than this.

The reply of judge Chase was marked by temperate moderation and firmness. He gently reminded them how much they had gone beyond the proper sphere of their duties, in meddling with such subjects as the holding two offices, and justified his censure of the sheriff, as well founded, to the extent that he had actually uttered it.

In the conclusion of this reply he told the jury, “you will, gentlemen, continue to do your duty, and I shall persevere in mine; and you may be assured that no mistaken opinion of yours, or resentment against me, will prevent my having respect for you *as a body*.”

In the succeeding December his holding the two-fold judicial station became the subject of a debate in the house of delegates, and an attempt was made to procure his removal from the presidency of the general court.

The attempt did not succeed ; but although the vote was forty-one to twenty in his favour on the question of removal, yet a majority concurred in the resolution that the constitution was infringed by the simultaneous tenure of the two offices.

In the year 1811, he was declining in his health for some time, his disease was slow in its progress, but was of a nature to threaten immediate dissolution. He was well aware that he had not long to remain with his family, and frequently conversed upon the subject, with the greatest composure, expressing his sentiments to those around him, with confidence and hope.—The day of his decease he had taken a long ride in an open carriage, before breakfast, as was his custom during the summer months, to inhale the morning breeze, which he found always to invigorate his decaying system. He was an enthusiastic admirer of nature, and always attended by one of his family, his conversation was engrossed by moralizing on the various scenes that presented themselves before him. On these occasions, he inculcated the purest doctrines of Christianity, and looked upon the moral law as necessary to the happiness of man—praises of the Deity, and the magnificent works of his hand, were the theme of his discourse.

A short time before his death, he expressed his desire to receive the blessed Sacrament, and he had several conversations on the subject, with the clergymen of the Episcopal church of Baltimore. It was accordingly administered to him, by the late reverend Doctor Bend, after which he declared himself to be in love and charity with all mankind.

He had returned from one of his morning rides, on a sultry day in June, when the extreme exhaustion of his strength, first warned his family that his end was near at hand. After the physicians were called to attend him, he spoke of his domestic concerns, gave several directions respecting his household, and was perfectly calm and resigned. He expostulated with his family, against indulging in the grief that their countenances betrayed, and declined taking a draught of medicine that was offered to him, saying as he put it aside, "God gives life." After this he did not speak, except in answer to enquiries, but retained his faculties unclouded to the last

moment, and expired so gently that those around him scarcely knew when he had ceased to breathe.

Mr. Chase was not less than six feet in height, with a well-proportioned figure, and handsome countenance, of which the portrait in Trumbull's great picture is a good likeness. His mien and presence were dignified and prepossessing.

His last will bespeaks his characteristic dislike of outward show, in the direction that no mourning should be worn for him, and the request that over his grave a plain slab might be erected, with no other inscription than his name, with the dates of his birth and death.





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